

PD

Sheet 1 of 1.

PPJ41550

# DEVELOPMENT CONTROL TECHNICAL INFORMATION

THE ROYAL  
BOROUGH OF



C.M  
KENSINGTON  
AND CHELSEA

ADDRESS 24 Scarsdale Villas

POLLING DISTRICT ABB

- HB Buildings of Architectural Interest
- AMI Areas of Metropolitan Importance
- MDO Major Sites with Development Opportunities
- MOL Metropolitan Open Land
- SBA Small Business Area
- PSC Principal Shopping Centre (Core or Non-core)
- LSC Local Shopping Centre
- AI Sites of Archeological Importance
- SV Designated View of St. Paul's from Richmond
- SNCI Sites of Nature Conservation Importance
- REG 7 Restricted size and use of Estate Agent Boards
- ART IV Restrictions of Permitted Development Rights

| Conservation Area | HB | CPO | TPO  | AMI | MDO | MOL | SBA | Unsuitable for Diplomatic Use |   | PSC | LSC | AI | SV | SNCI | REG 7 | ART IV |
|-------------------|----|-----|------|-----|-----|-----|-----|-------------------------------|---|-----|-----|----|----|------|-------|--------|
|                   |    |     |      |     |     |     |     | C                             | N |     |     |    |    |      |       |        |
| 8                 |    |     | 6/72 |     |     |     |     |                               |   |     |     |    |    |      |       |        |

|  |   |
|--|---|
|  | Within the line of Safeguarding of the Proposed Chelsea/Hackney underground line    |
|  | Within the line of Safeguarding of the Proposed Eastwest/Crossrail underground line |

|  |                          |  |
|--|--------------------------|--|
|  | Density                  |  |
|  | Site Area                |  |
|  | Habitable Rooms Proposed |  |
|  | Proposed Density         |  |

|  |                     |  |
|--|---------------------|--|
|  | Plot Ratio          |  |
|  | Site Area           |  |
|  | Zoned Ratio         |  |
|  | Floor Area Proposed |  |
|  | Proposed Plot Ratio |  |

|                    |           |  |
|--------------------|-----------|--|
| <b>Daylighting</b> | Complies  |  |
|                    | Infringes |  |

|                    |                 |  |
|--------------------|-----------------|--|
| <b>Car Parking</b> | Spaces Required |  |
|                    | Spaces Proposed |  |

**Notes:**

## 24 SCARSDALE VILLAS

Property Card N° : 0970 025 00

Sitename :  
 Comment :  
 TP Arch/History : H 15801  
 See Also :

PPJ41550

Xref :  
 Notes :

TP No Brief Description of Proposal 1 of 5

ERECT EXTRA STOREY WITH DORMER WINDOW TO FRONT  
 ELEVATION.

WITHDRAWN

Received Decision & Date  
 Completd Withdrawn 12/01/1972L  
 Revised

TP No / / Brief Description of Proposal 2 of 5

OPEN UP SIDE WINDOWS TO FRONT ELEVATION BASEMENT BAY AND  
 FORM NEW WINDOW OPENINGS ON SIDE ELEVATION.

PERMITTED DEVELOPMENT

Received Decision & Date  
 Completd Permitted Devenmt. 17/01/1972L  
 Revised

TP No TP/85/1606 Brief Description of Proposal 3 of 5

DEMOLITION OF PART OF THE FRONT BOUNDARY WALL

Received 07/08/1985 Decision & Date  
 Completd 19/08/1985 Conditional 13/12/1985  
 Revised LBC

TP No PP/03/1704 Brief Description of Proposal 4 of 5

PROVISION OF REAR EXTENSION AT BASEMENT, GROUND, FIRST AND  
 SECOND FLOOR LEVELS WITH CONSERVATORY EXTENSION AT GROUND  
 FLOOR LEVEL; PROVISION OF BASEMENT EXTENSION TO FRONT BELOW  
 PAVING LEVEL TO FRONT HARDSTANDING.

Received 07/08/2003 Decision & Date  
 Completd 14/08/2003 Withdrawn 26/09/2003  
 Revised

24 SCARSDALE VILLAS

Property Card N° : 0970 025 00

Sitename :  
Comment :  
TP Arch/History : H 15801  
See Also :

Xref :  
Notes :

TP No PP/04/0250 Brief Description of Proposal 5 of 5

ERECTION OF REAR EXTENSION AT BASEMENT, GROUND FLOOR, 1ST FLOOR HALF-LANDING, 2ND FLOOR HALF-LANDING; NEW WINDOWS TO SIDE ELEVATION AT 1ST FLOOR AND BASEMENT LEVEL.

\*\*\*WITHDRAWN BY APPLICANT'S LETTER DATED 26/03/2004\*\*\*

Received 30/01/2004 Decision & Date  
Completd 02/02/2004 Withdrawn 26/03/2004L  
Revised

> Any Queries Please Phone 0171 361 2199/2206/2015 <  
> Fax Requests (FOA Records Section) 0171 361 3463 <

D'ARCY ASSOCIATES  
9 LAMINGTON STREET

PP041550

Re. :24 Scarsdale Villas W8

LONDON  
W6 OHU

RBK&C  
Planning & Conservation  
The Town Hall  
Hornton St  
London W8 7NX

Ref. :2322PP02.ltr

Date :8<sup>th</sup> July 2004

TEL :020-8741 1193  
FAX :020-8563 7784

Attention : Planning Department

Dear Sirs,

We wish to apply for Full Planning Permission on behalf of Mr & Mrs Lajam for the following work.

‘Rear Extension at Basement, Ground Floor, & 1<sup>st</sup> Floor half landing. New windows to the side elevation at 1<sup>st</sup> Floor, Ground and Basement Level’

Please find enclosed:

- 4 Copies of the Planning Application Form TP1-Part 1.
- 4 Copies of the Certificate of Ownership ‘A’ , signed and dated.
- A Planning Fee is not required because the previous application ref. DPS/DCC/PP/04/00250 was withdrawn.
- 4 Copies of the Following Drawings:

**SURVEY DRAWINGS**

- 2322/1 -Ground & Basement Plans  
-Site Location Plan
- 2322/2 -First & Second Floor Plans
- 2322/3 -Rear and Side Elevation
- 2322/4 -Section
- 2322/9 -Photographs of the Existing

**PROPOSAL DRAWINGS**

- 2322/5 rev.B -Ground & Basement Plans  
-Site Location Plan
- 2322/6 rev. B -First & Second Floor Plans
- 2322/7 rev. B -Rear and Side Elevation
- 2322/8 rev. B -Sections

Please contact me if you require further information and when you wish to visit the house.

Yours  
  
Damien D'Arcy

Encl.

|              |     |             |      |     |          |          |
|--------------|-----|-------------|------|-----|----------|----------|
| EX<br>DIR    | HDC | TP          | CAC  | AD  | CLU      | AO<br>AK |
| R.B.<br>K.C. |     | 09 JUL 2004 |      |     | PLANNING |          |
| N            | C   | SW          | SE   | APP | IO       | REC      |
|              |     | ARB         | FPLN | DES | FEES     |          |

P.M.DAMIEN D'ARCY B.ARCH R.I.B.A.

VAT REGISTRATION NUMBER 726 2662 32

**RBKC**  
**Observations**

## CONSERVATION AND DESIGN

|   |                                       |                            |                              |                  |                       |
|---|---------------------------------------|----------------------------|------------------------------|------------------|-----------------------|
| <b>Address:</b><br>22 and 24 Scarsdale Villas, W8   | <b>Appl. No:</b><br>04/1549 &<br>1550 | <b>D.C. Officer:</b><br>ER | <b>L.B.</b><br>-             | <b>C.A.</b><br>8 | <b>Area:</b><br>C     |
| <b>Description:</b><br>Rear extensions at basement, ground and first floor levels to both buildings and some new side elevation windows at no. 24 |                                       |                            | <b>C&amp;D Officer</b><br>HB |                  | <b>Code:</b><br>X, EA |

**Comments:**

The current proposals have hardly changed from our site meeting with the agents. The changes are very minor and do not overcome any of our fundamental disagreements.

The existing buildings represent possibly the last unaltered pair of semi-detached villas on this north east side of Scarsdale Villas. The rear façade of this pair survives in its original un-extended scale and with all original window openings. A number of the other pairs of houses have been insensitively extended and altered in the past, but if I remember none recently. Many show just the sort of unwelcome over-development, covering up of the original main rear walls with bulky extensions and insensitive details which the current conservation control is trying to prevent.

The current proposals still show continuous full width solid extension across the lower ground floor elevation, virtually full width extension cover across the upper ground floor level and half-width 1<sup>st</sup> floor extensions.

Whilst half-width extensions at all three floor levels may be acceptable here, the full width elements are not really welcome anywhere, other than perhaps in a recessed position and designed as a light-weight conservatory at the lower ground floor level. This guidance given by us to the agents is quite generous on this site as there are no extensions here at all at present. The proposal which involves covering up of more than half of the main rear wall with extensions would seriously erode the surviving original scale and elevational appearance of this pair.

A definite refusal in my view.

Helena Benes  
20/7/04



# NOTICE OF A PLANNING APPLICATION

TOWN AND COUNTRY PLANNING ACT 1990  
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) ACT 1990



KENSINGTON  
AND CHELSEA

Notice is hereby given the Royal Borough of Kensington and Chelsea Council have received an application:

- (a) for development of land in or adjacent to a Conservation Area.

Details are set out below.

Members of the public may inspect copies of the application, the plans and other documents submitted with it at:

The Planning Information Office, 3rd floor, The Town Hall, Hornton Street, W8 7NX between the hours of 9.15 and 4.45 Mondays to Thursdays and 9.15 to 4.30 Fridays;

For applications in the Chelsea area: The Reference Library, Chelsea Old Town Hall, Tel. 020-7361-4158.

For postal areas W10, W11 and W2: The 1st floor, North Kensington Library, 108 Ladbroke Grove, W11, Tel. 020-7727-6583.

Anyone who wishes to make representations about this application should write to the Executive Director of Planning and Conservation at the Town Hall (Dept. 705) within 21 days of the date of this notice. Please note that all letters of representation are public documents and can be seen by any interested parties.

## SCHEDULE

Reference: PP/04/01550/ER

Date: 23/07/2004

**24 Scarsdale Villas, London, W8 6PR**

Erection of rear extension at basement, ground floor and 1st floor half landing, and new windows to the side elevation at 1st floor, ground floor and basement level.

**APPLICANT** Mr. & Mrs. Lajam,

Lajam post  
21/7

**D'ARCY ASSOCIATES ARCHITECTS  
9 LAMINGTON STREET  
LONDON  
W6 OHU**

**TEL :020 8741 1193  
FAX :020 8563 7784**

**Re. :24 Scarsdale Villas**

**Ref. :2322PO02.fax**

**Date :13/4/2004**

**Number of pages :5**

**Attention :Ms. E. Richards**

**KENSINGTON & CHELSEA PLANNING OFFICE**

**Fax Number :0207-361 3463**

**Phone Number :0207-361 3190**

**YOUR REF. NUMBER :PP/04/00250**

Further to our meeting last month and our withdrawal of the applications for number 22 and number 24 Scarsdale Villas, we have now amended the scheme and are preparing to resubmit. Please find attached sketch Plans and Elevations showing the amendments:

They include:

- Omitting the 2<sup>nd</sup> Floor Half Landing rear extension.
- Omitting the 'stepped' section profile to the half landing extension and replacing with a vertical section profile.
- Omitting the slate pitched roof over the half landing extension and replacing with a parapet wall and coping stone concealing a flat roof.
- Reducing the plan size of the Garden Room at Ground Floor Level so that it is not full width to the main house, and not the same dept as the extension to the half landing.
- Redesigning the side wall of the Garden Room so that it now has painted boarding rather than brick and reads more like an infill structure attached to the main house.
- Reducing the height of the Garden Room.
- Repositioning the metal railings and steps into the Garden so that they are in the same position on the elevation as the existing metal railings and steps.

**I would appreciate if you could show the designs to your Design Department  
And contact me with any comments.**

Yours

Damien D'Arcy

D'ARCY ASSOCIATES  
9 LAMINGTON STREET

Re. :24 Scarsdale Villas W8

LONDON  
W6 OHV

RBK&C  
Planning & Conservation  
The Town Hall  
Hornton St  
London W8 7NX

Ref. :2322PP02.ltr

Date :8<sup>th</sup> July 2004

TEL :020-8741 1193  
FAX :020-8563 7784

Attention : Planning Department

Dear Sirs,

We wish to apply for Full Planning Permission on behalf of Mr & Mrs Lajam for the following work.

“Rear Extension at Basement, Ground Floor, & 1<sup>st</sup> Floor half landing. New windows to the side elevation at 1<sup>st</sup> Floor, Ground and Basement Level”

Please find enclosed:

- 4 Copies of the Planning Application Form TP1-Part 1.
- 4 Copies of the Certificate of Ownership 'A', signed and dated.
- A Planning Fee is not required because the previous application ref. DPS/DCC/PP/04/00250 was withdrawn.
- 4 Copies of the Following Drawings:

SURVEY DRAWINGS

2322/1 -Ground & Basement Plans  
-Site Location Plan

2322/2 -First & Second Floor Plans

2322/3 -Rear and Side Elevation

2322/4 -Section

2322/9 -Photographs of the Existing

PROPOSAL DRAWINGS

2322/5 rev.B -Ground & Basement Plans  
-Site Location Plan


2322/6 rev. B -First & Second Floor Plans

2322/7 rev. B -Rear and Side Elevation

2322/8 rev. B -Sections

Please contact me if you require further information and when you wish to visit the house.

Yours



Damien D'Arcy

Encl.

Jeff Kiall Gray  
8/7/04

P.M.DAMIEN D'ARCY B.ARCH R.I.B.A.

VAT REGISTRATION NUMBER 726 2662 32



Re. :24 Scarsdale Villas W8

Ref. :2322PP01.ltr

Date :29<sup>th</sup> January 2004

RBK&C  
Planning & Conservation  
The Town Hall  
Hornton St  
London W8 7NX

Attention : Planning Department

Dear Sirs,

We wish to apply for Full Planning Permission on behalf of Mr & Mrs Lajam for the following work.

‘Rear Extension at Basement, Ground Floor, 1<sup>st</sup> Floor half landing & 2<sup>nd</sup> Floor half landing. New windows to the side elevation at 1<sup>st</sup> Floor and Basement Level’

A previous application ref. DPS/DCC/PP/03/01704 lodged in August 2003 was withdrawn and we have been appointed to lodge a new application. After studying the Planning Files of adjacent properties in the Planning Office and having informal meetings with some adjacent property owners we submit our proposals.

Please find enclosed:

- 4 Copies of the Planning Application Form TP1-Part 1.
- 4 Copies of the Certificate of Ownership ‘A’, signed and dated.
- We understand a Planning Fee is not required because the previous application was withdrawn.
- 4 Copies of the Following Drawings:

**SURVEY DRAWINGS**

2322/1 -Ground & Basement Plans

-Site Location Plan

2322/2 -First & Second Floor Plans

2322/3 -Rear and Side Elevation

2322/4 -Section

2322/9 -Photographs of the Existing

**PROPOSAL DRAWINGS**

2322/5 -Ground & Basement Plans

-Site Location Plan

2322/6 -First & Second Floor Plans

2322/7 -Rear and Side Elevation

2322/8 -Sections

Please contact me if you require further information and when you wish to visit the house.

Yours

Damien D’Arcy

Encl.

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

THE ROYAL  
BOROUGH OF

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS



KENSINGTON  
AND CHELSEA

File Copy

1

Switchboard: 020-7937-5464  
Extension: 2079/ 2080  
Direct Line: 020-7361- 2079/ 2080

Facsimile: 020-7361-3463  
Date: 14 July 2004

My reference: PS/DCC/PP/04/01590/ER

Please ask for Planning Information Office

Dear Sir/Madam,

## TOWN AND COUNTRY PLANNING ACT 1990

**Proposed development at: 24 Scarsdale Villas, London, W8 6PR**

Brief details of the proposed development are set out below. Members of the public may inspect copies of the application, the plans and any other documents submitted with it. The Council's Planning Services Committee, in considering the proposal, welcomes comments either for or against the scheme. Anyone who wishes to make representations about the application should write to the Council at the above address **within 21 days** of the date of this letter. Please telephone should you require further information.

**Proposal for which permission is sought Erection of rear extension at basement, ground floor and 1st floor half landing, and new windows to the side elevation at 1st floor, ground floor and basement level.**

**Applicant Mr. & Mrs. Lajam, 24 Scarsdale Villas, London, W8 6PR**

**Yours faithfully**

**M. J. FRENCH**  
Executive Director, Planning and Conservation

## WHAT MATTERS CAN BE TAKEN INTO ACCOUNT

When dealing with a planning application the Council has to consider the policies of the Borough Plan, known as the Unitary Development Plan, and any other material considerations. The most common of these include (not necessarily in order of importance):

- The scale and appearance of the proposal and impact upon the surrounding area or adjoining neighbours;
- Effect upon the character or appearance of a Conservation Area;
- Effect upon the special historic interest of a Listed Building, or its setting;
- Effect upon traffic, access, and parking;
- Amenity issues such as loss of Sunlight or daylight, Overlooking and loss of privacy, Noise and disturbance resulting from a use, Hours of operation.

## WHAT MATTERS CANNOT BE TAKEN INTO ACCOUNT

Often people may wish to object on grounds that, unfortunately, cannot be taken into account because they are not controlled by Planning Legislation. These include (again not in any order of importance):

- Loss of property value;
- Private issues between neighbours such as land covenants, party walls, land and boundary disputes, damage to property;
- Problems associated with construction such as noise, dust, or vehicles (If you experience these problems Environmental Services have some control and you should contact them direct);
- Smells (Also covered by Environmental Services);
- Competition between firms;
- Structural and fire precaution concerns; (These are Building Control matters).

## WHAT HAPPENS TO YOUR LETTER

All letters of objection are taken into account when an application is considered. Revised drawings may be received during the consideration of the case and normally you will be informed and given 14 days for further response. Generally planning applications where 3 or more objections have been received are presented to the Planning Services Committee which is made up of elected Ward Councillors. Planning Officers write a report to the Committee with a recommendation as to whether the application should be granted or refused. Letters received are summarised in the report, and copies can be seen by Councillors and members of the public, including the applicant. The Councillors make the decisions and are not bound by the Planning Officer's recommendation. All meetings of the Committee are open to the public.

**If you would like further information, about the application itself or when it is likely to be decided, please contact the Planning Department on the telephone number overleaf.**

## WHERE TO SEE THE PLANS

Details of the application can be seen at the Planning Information Office, 3rd floor, Town Hall, Hornton Street W.8. It is open from 9am to 4.45pm Mondays to Thursdays (4pm Fridays). A Planning Officer will always be there to assist you.

In addition, copies of applications in the Chelsea Area (SW1, SW3, SW10) can be seen at The Reference Library, Chelsea Old Town Hall, Kings Road SW3 (020 7361 4158), for the Central Area (W8, W14, SW5, SW7) can be viewed in the Central Library, Town Hall, Hornton Street, W.8. and applications for districts W10, W11 and W2 in the North of the Borough can be seen at The Information Centre, North Kensington Library, 108 Ladbroke Grove, London W11 (under the Westway near Ladbroke Grove Station 020 7727-6583). Please telephone to check the opening times of these offices.

If you are a registered disabled person, it may be possible for an Officer to come to your home with the plans. Please contact the Planning Department and ask to speak to the Case Officer for the application.

***PLEASE QUOTE THE APPLICATION REFERENCE NUMBER ON YOUR REPLY***

REASON FOR DELAY

CASE NO. 04/1550

This case has been identified as a "Target" application, which has the target for being passed through to the Head of Development Control within 6 weeks of the date of completion.

In the case of this application, there has been a delay of.....

We have been unable to pass through the case within the target period for the following reason(s) [highlight as necessary]

Delays due to internal Consultation  
[highlight one or all]

- (i) Design
- (ii) Transportation
- (iii) Policy
- (iv) Environmental Health
- (v) Trees
- (vi) Other

Further neighbour notification/external consultation necessary (spread or time period)

Awaiting Direction from English Heritage/other EH delays...

Revisions requested, but not received in time

Revisions received but inadequate – further revisions requested

Revisions received but reconsultation necessary

Of the Committee cycle

Applicant's instruction

OTHER REASON.....

..... (Case Officer)

**MEMORANDUM**

**TO: FOR FILE USE ONLY**

**From: EXECUTIVE DIRECTOR  
PLANNING & CONSERVATION**

**My Ref: PP/04/01550/ER**

**CODE A1**

**Room No:**

**NEWSPAPER DATE: 23/07/2004**

**Date: 14 July 2004**

**DEVELOPMENT AT:**

**24 Scarsdale Villas, London, W8 6PR**

**DEVELOPMENT:**

**Erection of rear extension at basement, ground floor and 1st floor half landing, and new windows to the side elevation at 1st floor, ground floor and basement level.**

The above development is to be advertised under:-

1. Section 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990  
(development affecting the character or appearance of a Conservation Area or adjoining Conservation Area)

**M.J. French**

Executive Director, Planning & Conservation

26 SCARSDALE VILLAS  
LONDON W8 6PR

Tel 020 7937 6622 Fax 020 7937 0888

O/EE 6/6  
04/1550 ✓  
04/1549 ✓  
2nd

M J French Esq  
Executive Director  
Planning & Conservation  
The Royal Borough of Kensington & Chelsea  
The Town Hall  
Hornton Street  
London  
W8 7NX

2<sup>nd</sup> August 2004

Dear Mr French

**Proposed development at: 22 & 24 Scarsdale Villas, W8 6PR**

Thank you for your letter of 14<sup>th</sup> July concerning the above.

We wish to register our concerns and objections to both these developments although some of the points below refer more to the immediately neighbouring property, no. 24:

1. The extension would effect our enjoyment of privacy and daylight/sunlight as no. 24 is directly adjoining our property.
2. The character and appearance of the back of these unique semidetached houses would be adversely affected as it transverses the whole breadth of the building whereas all the older extensions on this group of houses only occupy half the breadth of the back of the house.
3. This new building extension to an existing building intrudes into garden space which is not in keeping with the directives adopted by the Royal Borough of Kensington and Chelsea Edwardes Square. Scarsdale and Abington Conservation Area Policy Statement.
4. Some of the four new windows proposed on the lower ground floor, ground floor and first floor of no. 24 together with the glass panels in the garden room conservatory will directly overlook our patio area which has always enjoyed complete privacy and again the proposed external painted joinery of this section is not in keeping with the overall uniformity nor conforms to the Victorian character of the surrounding buildings. I believe that this pair of semi-detached houses are the only unaltered building left that retain their original dimensions.

|              |            |    |     |      |          |          |
|--------------|------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC        | TP | CAC | AD   | CLU      | AC<br>AV |
| R.B.<br>K.C. | 5 AUG 2004 |    |     |      | PLANNING |          |
| N            | ☑          | SW | SE  | APP  | IO       | REC      |
|              |            |    | ARB | FPLN | DES      | FEEs     |

58

5. The extended building will naturally intrude into a space that will bring it into closer proximity with the neighbouring buildings. This will inevitably bring with it the amplification of noise levels that are already currently experienced. A further cause of objection.

When we purchased this house in this conservation area some years ago, we chose a building that was adequate in size for our purposes. We spent a whole year renovating the house and tried to incorporate all the original features internally. We had no need nor desire to have additional living space and indeed thought that had we required more space we would have bought a larger house or one that was not in a conserved area so that if required we could have extensions built on. Perhaps these thoughts are not shared by others?

We hope you will take into consideration all the points made when you make your decision to grant or not, these proposed developments and extensions at nos 22 & 24 Scarsdale Villas.

Yours sincerely,



Edward & Miranda Lim

|              |     |            |     |      |          |          |
|--------------|-----|------------|-----|------|----------|----------|
| EX<br>DIR    | HDC | TP         | CAC | AD   | CLU      | AC<br>AK |
| R.B.<br>K.C. |     | 5 AUG 2004 |     |      | PLANNING |          |
| N            | C   | SW         | SE  | APP  | IO       | REL      |
|              |     |            | ARB | FPLN | DES      | FEE      |

NEW LETTER  
SENT OUT ON 6/8/04  
ER  
NB

30 Abingdon Villas  
London W8 6BX  
5<sup>TH</sup> August 2004

Mr M J French – Executive Director  
Planning and Conservation  
Royal Borough of Kensington and Chelsea  
Town Hall – Hornton Street  
London W8 7NX

Dear Mr French ,

I wrote a letter of objection to a proposed extension to 24 Scarsdale Villas W8. To-date I have not received an acknowledgement. I enclose a copy of my letter of 29th July 2004. According to the Royal Mail this was received by RBKC on 30 July 2004 [ this was signed for by RBKC ].

Please acknowledge my letter of 29 th July 2004.

I received an acknowledgement for a letter of objection to 19 – 21 Kensington Church Street W8. I enclose a copy of this. I never wrote a letter of objection regarding 19-21 Kensington Church Street. This is an error on the part of RBKC. Please acknowledge this error.

Yours

105

|        |            |    |     |      |          |       |
|--------|------------|----|-----|------|----------|-------|
| EX DIR | HDC        | TP | CAC | AD   | CLU      | AO AK |
| R.B.   | 6 AUG 2004 |    |     |      | PLANNING |       |
| K.C.   |            |    |     |      |          |       |
| N      | Q          | SW | SE  | APP  | IO       | REC   |
|        |            |    | ARB | FPLN | DES      | FEE   |

James Philpot



**PLANNING AND CONSERVATION**

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

Mr J Philpot  
30 Abingdon Villas  
London  
W8 6BX

Switchboard: 020-7937-5464  
Direct Line: 020-7361-2236  
Extension: 2236  
Facsimile: 020-7361-3463

Date: 03 August 2004

My Ref: DPS/DCC/PP/04/01350/LRS Please ask for: Louisa Sutton

Dear Sir/Madam

**TOWN AND COUNTRY PLANNING ACT 1990**

**Proposed development at: 19-21 Kensington Church Street, London, W8 4LF**

Thank you for your recent letter giving your comments on the application recently submitted to the Council relating to the above address. The Council will consider your views very carefully when deciding this application. You are advised that the application may be determined either by the Planning Services Committee or under powers delegated to the Executive Director, Planning and Conservation, by that Committee.

You will appreciate that in some cases the Council is not in a position to make an immediate decision. However, I shall notify you of that decision as soon as possible after it is reached.

If you would like any information about the progress of the application please do not hesitate to contact the Planning Information Office.

Yours faithfully

**M. J. FRENCH**  
Executive Director, Planning and Conservation

|              |            |    |     |      |          |          |
|--------------|------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC        | TP | CAC | AD   | CLU      | AO<br>AK |
| R.B.<br>K.C. | 6 AUG 2004 |    |     |      | PLANNING |          |
| N            | C          | SW | SE  | APP  | IO       | REC      |
|              |            |    | ARB | FPLN | DES      | FEES     |



INVESTOR IN PEOPLE

30 Abingdon Villas  
Kensington  
London W8 6BX  
29<sup>TH</sup> July 2004

Mr M J French - Executive Director  
Planning and Conservation  
Royal Borough of Kensington & Chelsea  
Town Hall - Hornton Street  
London W8 7NX

|              |            |    |     |      |          |          |
|--------------|------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC        | TP | CAC | AD   | CLU      | AC<br>AK |
| R.B.<br>K.C. | 6 AUG 2004 |    |     |      | PLANNING |          |
| N            | C          | SW | SE  | APP  | IO       | REC      |
|              |            |    | ARB | FPLN | DES      | FEES     |

Dear Mr French ,

Application for erection of rear extension at basement, ground floor and 1<sup>st</sup> floor half landing, and new windows to the side elevation at 1<sup>st</sup> floor, ground floor and basement level at 24 Scarsdale Villas W8. Ref PS/DCC/PP/04/1350/ER

1550

This is a letter of objection to the above application. I am a resident. Both my neighbours and I would be affected by this extension. Please acknowledge this letter.

This is an application for an intrusive and unsightly extension at 24 Scarsdale Villas . This includes a ground floor conservatory which would not be in keeping with the original design of this 1860s Victorian house. The applicants do not call it a conservatory – but it is one.

This proposed development would take away daylight and sunlight, overlook both my home and neighbouring houses and flats - and take away privacy. This is a plan to build into a green garden space in a Conservation Area and change for the worse both the scale and appearance of a Victorian house.

This is an application put together without due care and attention. The applicants do not state – in this application - that any neighbours have been consulted. *This from applicants whose last application for an extension into a rear garden was withdrawn following many objections.*

Noise and nuisance would be caused by this proposed extension building too close to neighbouring houses, flats and gardens.

This application includes a false and misleading site location plan which shows a rear garden extension covering a large part of the rear garden of 26 Abingdon Villas . *The rear garden of 26 Abingdon Villas backs onto the rear gardens of Scarsdale Villas and can be seen easily from 24 Scarsdale Villas. This extension was demolished in 1982.*

*In a previous application from 24 Scarsdale Villas , a false and misleading site location plan was submitted. Same architects and same applicants. I wrote to Mr French at RBKC regarding this. I enclose a copy of this letter.*

The applicants have not stated in this application that they have read the Edwardes Square, Scarsdale and Abingdon Conservation Area Policy Statement produced by RBKC. This is a detailed and relevant document which covers 24 Scarsdale Villas.

I quote from p49 of the above document ' New buildings, extensions to existing buildings and other works will not be allowed to intrude into garden space which, on its own or together with neighbouring gardens, is important either to the character of the particular area or general character of the urban scene'. I believe that it is important to both.

*I enclose a photocopy of p49 of this document with the relevant passage marked.*

A ground floor conservatory is proposed. It is not called a conservatory in the plans but it is one. This in particular would alter the character of the house. The proposed ground floor conservatory could be considered a gaudy addition to an unspoilt 1860s Victorian house.

The Edwardes Square, Scarsdale and Abingdon Conservation Area was one of the first two conservation areas in Kensington and Chelsea. I expect the Royal Borough of Kensington and Chelsea to protect and preserve this conservation area.

I have been a resident since 1959. I call upon the Royal Borough of Kensington and Chelsea to oppose this plan for an oversize rear garden extension in this conservation area and help keep this part of Kensington a green and pleasant land.

Yours

James Philpot

NB. Two enclosures.

Firstly I enclose a copy of my previous letter to Mr M J French regarding the false and misleading site location plan. Same applicants and architects for both.

Secondly I enclose a copy of my quoted passage from RBKC Edwardes Square, Scarsdale and Abingdon Conservation Area Policy Statement ( P49 ).

30 Abingdon Villas  
London W8 6BX  
5th March 2004

Mr M J French -- Executive Director  
Planning and Conservation  
Royal Borough of Kensington and Chelsea  
Town Hall - Hornton Street  
London W8 7NX

|              |            |    |     |      |          |          |
|--------------|------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC        | TP | CAC | AD   | CLU      | AC<br>AK |
| R.B.<br>K.C. | 6 AUG 2004 |    |     |      | PLANNING |          |
| N            | C          | SW | SE  | APP  | IO       | REC      |
|              |            |    | ARB | FPLN | DES      | FEEES    |

Dear Mr French ,

DPS/DCC/PP/04/00250/AJF

Proposed development rear extension 24 Scarsdale Villas W8

This is my second letter of objection to the proposed development at 24 Scarsdale Villas W8. Since my first letter of objection , I have seen one of the planning officers at RBKC and I have now have further objections. Please acknowledge this letter.

I wrote my first letter of objection to you on 17<sup>th</sup> February. I enclose a copy of this letter. To date I have not received an acknowledgement. Please acknowledge this letter.

*I am surprised to note that the application includes a false and misleading site plan. This clearly shows a very large rear garden extension at 26 Abingdon Villas [ backing on to Scarsdale Villas ]. This extension is shown as taking up the large majority of the garden space. This rear extension was demolished in 1982 with permission from RBKC .*

*I note with interest the error in this site plan – as the error concerns a rear extension and this application is for a rear extension.. This application for a rear garden development overlooks 26 Abingdon Villas - who have in 1982 restored their garden to the original.*

The application states and having informal meetings with some adjacent property owners we submit our proposals. Miss Mahieu of 28 Abingdon Villas spoke to the architects and stated she would object. She has subsequently objected to this application in writing . The owners of 22 Scarsdale Villas have hired the architects behind this plan for a similar rear extension. It would appear that the architects have had 'informal meetings' with one objector and one neighbour who is now a client of the architects - but who else ? We are not told. Some means two or more than two .....

Yours sincerely ,

James Philpot

**Trees and Planting**



There will be a general presumption in favour of the retention of trees, irrespective of their age, unless they are potentially a public danger or, exceptionally, when removal is required in a replanting programme. New planting will be encouraged during the next decade, so that semi-mature trees will be established when older ones have to be removed, which is bound to happen since a great many trees in the Borough were planted over fifty years ago.

Edwardes Square is the crowning glory of the area's vegetation, a tribute to care and maintenance by the Garden Committee, and its long term consideration of planting over so many years. The large gardens behind Earls Terrace combine with the Square itself to create an atmosphere of 'rus in urbe' of supreme importance to the setting of this listed building, and to its occupants' amenity. A wall cherished by many for its contribution to the lane-like quality of North Edwardes Square is that bounding these gardens, and its preservation unbreached will be one of the Council's conservation objectives.

Obviously the garden squares dominate the surrounding street scene, and leafy front gardens as at the north of Warwick Gardens contribute to it significantly. Back gardens are more especially important to the houses surrounding them.



New buildings, extensions to existing buildings and other works will not be allowed to intrude into garden space which, on its own or together with neighbouring

gardens, is important either to the character of the particular area or to the general character of the urban scene.

The health and maintenance of planting of all kinds of course determines whether it contributes to or detracts from the immediate environment. Overgrown front gardens conceal even the finest building condition, and unclipped hedges obstruct the footway and look incongruous fronting buildings of formal style. Climbing plants can be beautiful supplements to buildings when controlled or curious interruptions to their character when unrestrained.

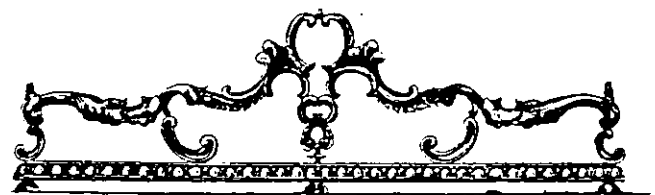
Judiciously positioned trees can greatly reduce the visual impact of car parking as well as contributing to the pleasant leafiness of the area. This characteristic depends as much on private planting as on street trees, of which the area has many – perhaps the most spectacular being the cherries at the south end of Abingdon Road when the total canopy of blossom is out.

All trees in conservation area are subject to controls requiring notice of any proposals to remove, lop or prune them to be given to the Council (see Appendix). As well as this general provision, many of the trees are covered by Tree Preservation Orders, of which the Council's Arboriculturist can give further details.

The york stone coping to the dwarf wall enclosing the central garden area to Edwardes Square has deteriorated to such an extent as to detract from its original visual appearance and safety standards and should therefore be restored.



Pot Guards and Balcony Rails

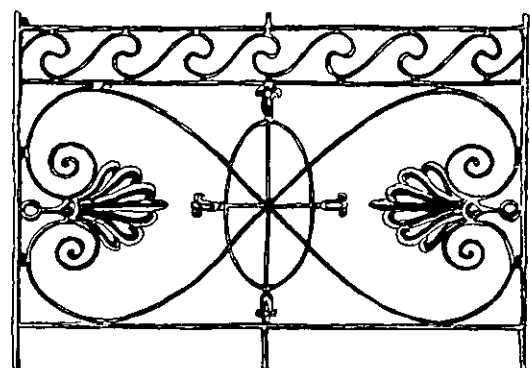


R.B.K.C Planning Dept

- 6 AUG 2004

The Edwardes Square, Scarsdale and Abingdon area has an interesting variety of balcony rails and pot guards. These range from the decorative shell castings and simple grid patterns of Edwardes Square through the delightful lightweight wheel and heart-shaped castings of Pembroke Square and the north end of Abingdon Road to the rather heavier pot guards of the south end of Abingdon Road and Villas.

These brittle castings are easily broken but difficult to repair, nor are they easily replaced by reproductions. Whilst fortunately they are retained in the two Georgian squares they are sadly missed on a number of the Victorian terraces.



**26 ABINGDON VILLAS  
LONDON W8 6BX**

TEL/FAX: 020 7937 9148  
E-MAIL: sarahlawton@lineone.net

ER

obj ✓ NB  
3/8

M.J. French Esq.  
Executive Director, Planning and Conservation  
RBK&C  
The Town Hall  
Hornton Street  
London W8 7NX

|              |            |    |     |      |          |          |
|--------------|------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC        | TP | CAC | AD   | CLU      | AC<br>AK |
| R.B.<br>K.C. | 2 AUG 2004 |    |     |      | PLANNING | (134)    |
| N            | C          | SW | SE  | APP  | IC       | REC      |
|              |            |    | ARB | FPLN | DES      | FEES     |

30 July 2004

Dear Sir,

**Town and Country Planning Act 1990**  
**Proposed development at 24 Scarsdale Villas, London W8 6PR**  
**Your ref: PS/DCC/PP/04/01850/ER**

Further to your letter of 14<sup>th</sup> July, I am once again writing regarding the proposals to build out at the back of No. 24 Scarsdale Villas, which lies immediately to the West of our house.

The revised plans do indicate an overall reduction as we previously requested, which is appreciated, but we do still have the following reservations:

1. The whole development extends 3.5m into the garden rather than being stepped back so that the upper floor was to be 3m or 2.5m (now not in the plan).
2. More worryingly, we feel that there is a reduction in the overall quality of the development proposed and that this is not in keeping with the integrity of the original Victorian structure. Scarsdale Villas is the premier road in this part of the Conservation Area and every effort should be made to maintain the highest standards in construction and visual appearance.

As an example of what concerns us, the side wooden panels and lean-to glass roof of what can only be described as a conservatory at first floor level is inferior to the previously planned overall brick structure with lantern roof and solid side wall. Furthermore, there is a real danger with the new plans in that wooden panels can easily be converted to glass in the future and this would certainly infringe on neighbours' privacy.

3. Furthermore, the earlier rear elevation plans allowed for 3 door/windows to the so-called breakfast room on the first floor and the 2 doors below at garden level were the same proportions, leading to overall uniformity. The new plans do not allow for this, nor do they mirror the proposals at No. 22 Scarsdale Villas

In conclusion, we think that the previous plans (your ref: DPS/DCC/PP/04/00250/ER), minus the second floor, were greatly preferable. We trust that planning permission for any development will take account of these views and will require an overall higher standard of development, giving particular attention to the points above.

Yours truly,

*Sarah Lawton*

SARAH LAWTON

|        |            |      |          |     |     |    |
|--------|------------|------|----------|-----|-----|----|
| EX DIR | HDC        | TP   | CAC      | AD  | CLU | AK |
| R.B.   | 2 AUG 2004 |      | PLANNING |     |     |    |
| K.C.   |            |      |          |     |     |    |
| N      | SE         | APP  | IO       | REC |     |    |
|        | ARB        | FPLN | DES      | FEE |     |    |

119

obj (ER) ✓  
 30 Abington Villas 3/8  
 W8 6 BX  
 30 July 2004

Mr. M S French FRIES Dir TP MRTPI CENTS  
 Planning and Conservation  
 The Royal Borough of Kensington and Chelsea  
 The Town Hall  
 Horsham Street  
 W8 7 NX

Your Ref: PS/DCC/PP/04/01950/ER

Dear Mr French,

Proposed development 24 Scarsdale Villas W8 6PR

Thank you for your letter of 14 July 2004.

As owner of land resident of No. 30 Abington Villas since 1954  
 my objections to this proposed development are:

it goes against the letter and the spirit of keeping  
 Scarsdale Villas as part of this important conservation  
 area in the Royal Borough, in its present state

it would diminish the size of the back garden of no. 24  
 which in turn reduces the open space formed together  
 with neighbour's gardens

The proposed structure itself - in total - appears tall,  
 Personally I deplore, in tune with my neighbour and fellow  
 residents, the prospect of losing

light  
 air ) on a permanent basis.  
 and privacy

I hope that you will NOT give permission for the proposed  
 development at no 24 Scarsdale Villas.

Yours sincerely  
 D. Philpot  
 (Dr. R. PHILPOT)

P.S.: I have seen  
 the plans.

22, Abingdon Villas,  
London W.8 6 BX

ER  
obj  
✓  
MB  
3/8

July 28<sup>TH</sup>

Ref. PS/DCC/PP/04/01550/ER

Dear Mr French,

Proposed development at 24 Scarsdale Villas

I object to this plan as it intrudes into garden space. I thought this was not allowed in a conservation area.

Yours sincerely,

Jean Wonsode

|              |              |    |     |      |          |          |
|--------------|--------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC          | TP | CAC | AD   | CLU      | AO<br>AK |
| R.B.<br>K.C. | - 2 AUG 2004 |    |     |      | PLANNING |          |
| N            | C            | SW | SE  | APP  | IO       | REC      |
|              |              |    | ARB | FPLN | DES      | FEEs     |

(63)



Yout ref. PS/DCC/PP/04/01349/ER  
01550

32 ABINGDON VILLAS  
LONDON W8 6BX  
020 7937 7023

24 1997

26-06-2004

● Mr Trench  
Planning & Conservation  
R.B. K.C.

|        |             |    |     |      |          |      |      |
|--------|-------------|----|-----|------|----------|------|------|
| EX DIR | HDC         | TP | CAC | AD   | CLU      | AC   | AK   |
| R.B.   | 27 JUL 2004 |    |     |      | PLANNING |      |      |
| K.C.   |             |    |     |      |          |      |      |
| N      | C           | SW | DE  | APPL | IO       | TREL |      |
|        |             |    |     | ARB  | FPLN     | DES  | FEES |

(73)

Dear Mr Trench

Towns Country Planning Act 1990  
Proposed Development at 24 Scarsdale  
Villas W8 6PR

Thank you for your letter of 14th July.  
I have studied the plans for the  
above and still object to the  
intrusiveness of the proposals. I  
also note that the application has  
been re-submitted whilst many  
neighbours are expected to be away  
on holiday

Yours sincerely

Sylvia Warner

(HADY WARNER)

Miss M. L. MAHIEU, D.O. (B.S.O.)  
REGISTERED OSTEOPATH

M Ohj  
29/7

Tel: 020 7584 3424  
Fax: 020 7937 0160

R.B.K.C Planning Dept

28 ABINGDON VILLAS  
LONDON W8 6BX

07-7-4

28 JUL 2004

C/AOAIK (28)

Ref PS/DCC/PP/04/1550/ER

Dear Mr. French

This is my reply to the  
proposed building work  
to be done at No 22 & 24  
Scarsdale Villas

I regret that our con-  
-servation area should  
be so poorly protected  
as to allow the addition  
of mighty blocks on  
the garden side.

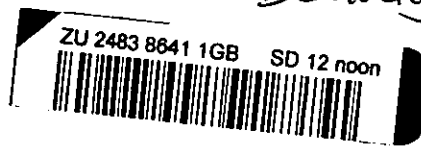
Our greenery, light and  
privacy are being slowly  
eroded while our rates  
go up, disregarding  
the disappearance of

These precious commodities  
... that I beg you  
to protect.

Yours sincerely

Quaker

Special Delivery



30 Abingdon Villas  
Kensington  
London W8 6BX

Mr M J French - Executive Director  
Planning and Conservation  
Royal Borough of Kensington & Chelsea  
Town Hall - Hornton Street  
London W8 7NX

|              |     |             |     |      |                            |      |    |
|--------------|-----|-------------|-----|------|----------------------------|------|----|
| EX<br>DIR    | HDC | TP          | CAC | AD   | 29 <sup>TH</sup> JULY 2004 | CLU  | AO |
| R.B.<br>K.C. |     | 30 JUL 2004 |     |      | PLANNING                   |      |    |
| N            | C   | SW          | SE  | APP  | IO                         | REC  |    |
|              |     |             | ARB | FPLN | DES                        | FEEs |    |

73

Dear Mr French,

Application for erection of rear extension at basement, ground floor and 1<sup>st</sup> floor half landing, and new windows to the side elevation at 1<sup>st</sup> floor, ground floor and basement level at 24 Scarsdale Villas W8. Ref PS/DCC/PP/04/1350/ER

✓ NB 3/8

This is a letter of objection to the above application. I am a resident. Both my neighbours and I would be affected by this extension. Please acknowledge this letter.

This is an application for an intrusive and unsightly extension at 24 Scarsdale Villas. This includes a ground floor conservatory which would not be in keeping with the original design of this 1860s Victorian house. The applicants do not call it a conservatory - but it is one.

This proposed development would take away daylight and sunlight, overlook both my home and neighbouring houses and flats - and take away privacy. This is a plan to build into a green garden space in a Conservation Area and change for the worse both the scale and appearance of a Victorian house.

This is an application put together without due care and attention. The applicants do not state - in this application - that any neighbours have been consulted. *This from applicants whose last application for an extension into a rear garden was withdrawn following many objections.*

Noise and nuisance would be caused by this proposed extension building too close to neighbouring houses, flats and gardens.

This application includes a false and misleading site location plan which shows a rear garden extension covering a large part of the rear garden of 26 Abingdon Villas. *The rear garden of 26 Abingdon Villas backs onto the rear gardens of Scarsdale Villas and can be seen easily from 24 Scarsdale Villas. This extension was demolished in 1982.*

*In a previous application from 24 Scarsdale Villas, a false and misleading site location plan was submitted. Same architects and same applicants. I wrote to Mr French at RBKC regarding this. I enclose a copy of this letter.*

The applicants have not stated in this application that they have read the Edwardes Square, Scarsdale and Abingdon Conservation Area Policy Statement produced by RBKC. This is a detailed and relevant document which covers 24 Scarsdale Villas.

I quote from p49 of the above document ' New buildings, extensions to existing buildings and other works will not be allowed to intrude into garden space which, on its own or together with neighbouring gardens, is important either to the character of the particular area or general character of the urban scene'. I believe that it is important to both.

*I enclose a photocopy of p49 of this document with the relevant passage marked.*

A ground floor conservatory is proposed. It is not called a conservatory in the plans but it is one. This in particular would alter the character of the house. The proposed ground floor conservatory could be considered a gaudy addition to an unspoilt 1860s Victorian house.

The Edwardes Square, Scarsdale and Abingdon Conservation Area was one of the first two conservation areas in Kensington and Chelsea. I expect the Royal Borough of Kensington and Chelsea to protect and preserve this conservation area.

I have been a resident since 1959. I call upon the Royal Borough of Kensington and Chelsea to oppose this plan for an oversize rear garden extension in this conservation area and help keep this part of Kensington a green and pleasant land.

Yours

James Philpot

NB. Two enclosures.

Firstly I enclose a copy of my previous letter to Mr M J French regarding the false and misleading site location plan. Same applicants and architects for both.

Secondly I enclose a copy of my quoted passage from RBKC Edwardes Square, Scarsdale and Abingdon Conservation Area Policy Statement ( P49 ).

|              |             |    |     |      |          |          |
|--------------|-------------|----|-----|------|----------|----------|
| EX<br>DIR    | HDC         | TP | CAC | AD   | CLU      | AO<br>AK |
| R.B.<br>K.C. | 30 JUL 2004 |    |     |      | PLANNING |          |
| N            | C           | SW | SE  | APP  | IO       | REC      |
|              |             |    | ARB | FPLN | DES      | FEEES    |

30 Abingdon Villas  
London W8 6BX  
5th March 2004

Mr M J French – Executive Director  
Planning and Conservation  
Royal Borough of Kensington and Chelsea  
Town Hall - Hornton Street  
London W8 7NX

Dear Mr French ,

DPS/DCC/PP/04/00250/AJF  
Proposed development rear extension 24 Scarsdale Villas W8

This is my second letter of objection to the proposed development at 24 Scarsdale Villas W8. Since my first letter of objection , I have seen one of the planning officers at RBKC and I have now have further objections. Please acknowledge this letter.

I wrote my first letter of objection to you on 17<sup>th</sup> February. I enclose a copy of this letter. To date I have not received an acknowledgement. Please acknowledge this letter.

*I am surprised to note that the application includes a false and misleading site plan. This clearly shows a very large rear garden extension at 26 Abingdon Villas [ backing on to Scarsdale Villas ]. This extension is shown as taking up the large majority of the garden space. This rear extension was demolished in 1982 with permission from RBKC .*

*I note with interest the error in this site plan – as the error concerns a rear extension and this application is for a rear extension.. This application for a rear garden development overlooks 26 Abingdon Villas - who have in 1982 restored their garden to the original.*

The application states ' and having informal meetings with some adjacent property owners we submit our proposals. ' Miss Mahieu of 28 Abingdon Villas spoke to the architects and stated she would object. She has subsequently objected to this application in writing . The owners of 22 Scarsdale Villas have hired the architects behind this plan for a similar rear extension. It would appear that the architects have had 'informal meetings' with one objector and one neighbour who is now a client of the architects - but who else ? We are not told. Some means two or more than two .....

Yours sincerely ,

James Philpot

|              |     |             |     |      |          |          |
|--------------|-----|-------------|-----|------|----------|----------|
| EX<br>DIR    | HDC | TP          | CAC | AD   | CLU      | AO<br>AK |
| R.B.<br>K.C. |     | 30 JUL 2004 |     |      | PLANNING |          |
| N            | C   | SW          | SE  | APP  | IO       | REC      |
|              |     |             | ARB | FPLN | DES      | FEES     |

**Trees and Planting**



There will be a general presumption in favour of the retention of trees, irrespective of their age, unless they are potentially a public danger or, exceptionally, when removal is required in a replanting programme. New planting will be encouraged during the next decade, so that semi-mature trees will be established when older ones have to be removed, which is bound to happen since a great many trees in the Borough were planted over fifty years ago.

Edwardes Square is the crowning glory of the area's vegetation, a tribute to care and maintenance by the Garden Committee, and its long term consideration of planting over so many years. The large gardens behind Earls Terrace combine with the Square itself to create an atmosphere of 'rus in urbe' of supreme importance to the setting of this listed building, and to its occupants' amenity. A wall cherished by many for its contribution to the lane-like quality of North Edwardes Square is that bounding these gardens, and its preservation unbreached will be one of the Council's conservation objectives.

Obviously the garden squares dominate the surrounding street scene, and leafy front gardens as at the north of Warwick Gardens contribute to it significantly. Back gardens are more especially important to the houses surrounding them.



New buildings, extensions to existing buildings and other works will not be allowed to intrude into garden space which, on its own or together with neighbouring

gardens, is important either to the character of the particular area or to the general character of the urban scene.

The health and maintenance of planting of all kinds of course determines whether it contributes to or detracts from the immediate environment. Overgrown front gardens conceal even the finest building condition, and unclipped hedges obstruct the footway and look incongruous fronting buildings of formal style. Climbing plants can be beautiful supplements to buildings when controlled or curious interruptions to their character when unrestrained.

Judiciously positioned trees can greatly reduce the visual impact of car parking as well as contributing to the pleasant leafiness of the area. This characteristic depends as much on private planting as on street trees, of which the area has many – perhaps the most spectacular being the cherries at the south end of Abingdon Road when the total canopy of blossom is out.

All trees in conservation area are subject to controls requiring notice of any proposals to remove, lop or prune them to be given to the Council (see Appendix). As well as this general provision, many of the trees are covered by Tree Preservation Orders, of which the Council's Arboriculturist can give further details.

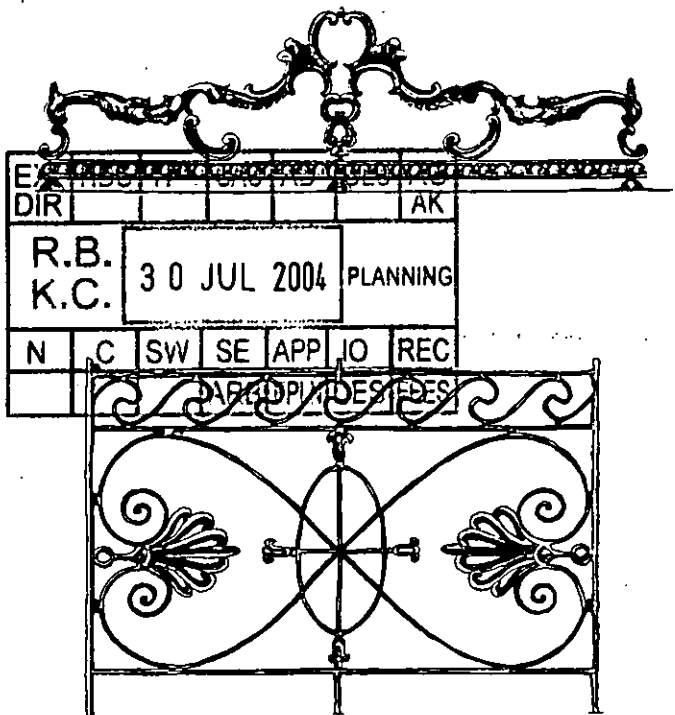
The york stone coping to the dwarf wall enclosing the central garden area to Edwardes Square has deteriorated to such an extent as to detract from its original visual appearance and safety standards and should therefore be restored.



Pot Guards and Balcony Rails

The Edwardes Square, Scarsdale and Abingdon area has an interesting variety of balcony rails and pot guards. These range from the decorative shell castings and simple grid patterns of Edwardes Square through the delightful lightweight wheel and heart-shaped castings of Pembroke Square and the north end of Abingdon Road to the rather heavier pot guards of the south end of Abingdon Road and Villas.

These brittle castings are easily broken but difficult to repair, nor are they easily replaced by reproductions. Whilst fortunately they are retained in the two Georgian squares they are sadly missed on a number of the Victorian terraces.



## Grounds of Appeal – 24 Scarsdale Villas, London W8 6PR

1. This planning appeal relates to an unlisted building within a Conservation Area in the Royal Borough of Kensington and Chelsea. The appellants are Mr and Mrs Lajam. The property is a semi-detached Victorian villa set back from the road and with a generous garden. It has a lower ground floor level with a garden at its mid-point. The photographs enclosed illustrate the level variations and the range of rear extensions on each pair of villas on either side of Numbers 22 and 24 Scarsdale Villas.
2. The subject of the appeal is a proposal which the Local Planning Authority refused planning permission on 3 September 2004, for the erection of a rear extension at basement, ground floor and 1<sup>st</sup> floor half landing (PP/04/01550/CHSE).
3. The application followed extensive discussion with the Authority (including previous proposals) but no agreement could be reached on the width of the extension at rear ground floor level. Revisions were submitted to the Council in the hope of achieving consent. However, the Council's Officers want to see a half-width extension only. All other parts of the proposal were acceptable to the Officers. The appeal plans are:

-2322/PP1, /PP2, /PP3, /PP4, /PP5B, /PP6B, /PP7B, /PP8B, and photographs /PP9.

4. This appeal is lodged because the owner requires a wide extension at ground floor level to provide good quality accommodation internally. The proposed design is one which creates a conservatory style extension added onto a brick extension. It is considered that this preserves and indeed enhances the Conservation Area.
5. The need for the appeal proposal is mainly to increase the internal space at ground floor level where the kitchen, dining room and living rooms are located; these are the principal rooms for family use and guests. The full width extension proposed at basement level is helpful, but this would not satisfy the requirements of this large family home. It is intended that the lower ground level is used by the appellants' adult children, who are studying and working in London – purchasing their own accommodation is out of the question given London's house prices. These are the personal circumstances surrounding the appeal but these do not lessen the design approach which is explained below and satisfies all forms of planning policy and townscape analysis.
6. This appeal should be considered in conjunction with a mirrored proposal at No. 22 Scarsdale Villas. This was refused by the Local Planning Authority also on 3 September 2004 (ref PP/04/01549/CHSE).

*= we  
discourage  
it  
clearly*

*N/A*



7. The Council refused planning permission for both schemes for the exact same reasons:

- the proposal was considered excessive in terms of bulk and scale and will lead to the further erosion of the character and appearance of the property
- the proposal would result in considerable harm to the Conservation Area and fails to preserve or enhance it
- the proposal would not comply with UDP Policies CD27, CD47, CD48, CD57, CD61 and CD62
- the proposal, if undertaken in isolation to No.22, would result in a sense of enclosure and loss of light to that property in particular, and would not comply with UDP Policies CD33 and CD36.

8. The Council's policies quoted in the decision notice are as follows:

- high standard of design required (Policy CD27)
- sensitive and compatible with the scale, height, bulk, materials and character of the surroundings (Policy CD27)
- protection of dwellings against significant reduction in sunlight and daylight (Policy CD33)
- protection from harmful sense of enclosure to properties (Policy CD36)
- resist extensions in certain circumstances (Policy CD47)
- resist conservatories in certain circumstances (Policy CD48)
- preserve and enhance character and appearance of a Conservation Area (Policy CD57 and CD61)
- high standard of design compatible with character of Conservation Area (Policy CD62)

9. This paper now sets out the grounds of appeal which are common to the appeals for both No. 24 as well as No. 22 Scarsdale Villas (subject of a separate appeal but submitted jointly).

10. The basic grounds of appeal are that:

- (i) Policies CD47 and CD48 are principal considerations and the proposal complies with the Council's UDP criteria for determining extensions and conservatories. NOT
- (ii) the proposal relates to the rear of the premises which is relevant when considering the potential impact on the Conservation Area. In any event, the proposal through its design would comply with Policies CD27, CD57 and CD61. NOT
- (iii) the joint proposal with No.22 provides a unique situation to preserve and enhance these two buildings, something which has been missed with other surrounding buildings – see photographs. In so doing, compliance can be demonstrated with Policies CD33 and CD36. CERTAINLY  
NOT
- (iv) the proposed design is of significant quality thus in accordance with Policies CD27 and CD62. N/A

#### Planning History

11. The planning history relating to the appeal premises is relevant and an A3 sized brochure of all the drawings has been produced to illustrate the changes made by the appellant in order to secure a planning permission. The pages are numbered to coincide with the following documents.

##### **Scheme 1 - Application No.1 (ref PP/03/01704) – Brochure Page 3**

A scheme was produced by architect Nathaniel Gee but this was withdrawn. The main drawing number was 288/13/A. This proposal included an extension to second floor level and a greater depth at all other levels (than the later schemes).

##### **Scheme 2 - Application No.2 (ref. PP/04/00250) – Brochure Page 4**

The first scheme produced by D'Arcy Associates was submitted 29 January 2004. This was different from Application No.1 because it shortened the length of the overall rear extension and removed the proposed external stairs to the ground floor. The main drawing number was 2322/PP7. This application was withdrawn.

##### **Scheme 3 - Revision No.3 – Brochure Page 5**

A meeting was held at the Council's Offices to discuss a way forward. The scheme contained in drawing no. 2322/PP7A was subsequently sent to the Council for consideration. A meeting took place on site and changes were made to the scheme for Application 3.

##### **Scheme 4 - Application No.3 (ref PP/04/01550 - the appeal) – Brochure Page 6**

The proposal outlined in drawing no. 2322/PP7B was submitted on 8 July 2004. It was considered that this took account of the concerns of the Council.

*we did not think so.*

The drawing in the Brochure on Page 7 demonstrates how the appeal scheme would look, when combined with the appeal proposal for No.22 Scarsdale Villas.

12. The detailed grounds of appeal are now set out:

**Policies CD47 and CD48 - Extensions and Conservatories**

13. Policy CD47 resists an extension if it:

- results in the rear building line of adjacent extensions being exceeded
- reduces significantly the garden amenity area
- rises above the general height of neighbouring properties
- is not visually subordinate to the parent building
- results in a cliff-like effect along any boundary
- spoils or disrupts the even rhythm of rear additions; full width extensions will not usually be allowed
- reduces daylight and sunlight to neighbouring dwellings
- leads to significant overlooking
- has details and materials which are not in character with the building
- breaches the front building line
- blocks or diminishes an important or historic gap

X 14. Through careful design, the appeal proposal results in none of these problems. It should be assumed therefore that permission should have been granted at the application stage.

15. Policy CD48 resists conservatories if they:

- are located at roof level
- ✓ - are significantly above garden level
- ✓ - cover the whole width of the property
- are located on a corner site

X 16. Again, the appeal proposal does not fall into any of these categories and should be said to comply with Policy CD48.

**Policies CD27, CD57 and CD61 - Preservation and Enhancement**

NOT 17. The appeal site can only be seen from the properties and gardens of those aligning Scarsdale Villas and certain facing properties. Any impact on the Conservation Area is therefore restricted to private views rather than from public roads or footpaths. The key question is whether the townscape would be unharmed and thus preserved.

X 18. Photographs of the surrounding garden areas were attached to the planning application to illustrate what has taken place in the immediate vicinity of the appeal site. There are examples of flat roofs, conservatories, differing window styles, high level extensions and building depths. These have all been given due regard in the proposed design which is now described below. In this way, it is considered to both preserve and enhance the character and appearance of the Conservation Area.

**Policies CD33 and CD36 - Residential Amenity**

19. The appeal proposal is to be undertaken jointly with a mirrored proposal at No. 22 Scarsdale Villas. This would lead to a joined central extension along the party wall of these semi-detached villas.

20. The appellants would accept a planning condition or a Section 106 Agreement for both schemes to be undertaken jointly – there would of course in any event be significant cost savings to this approach.

#### **Policies CD27 and CD62 - Design Quality**

21. The design quality of the appeal proposal is excellent. It encompasses:

- brickwork to match existing type
- reinstatement of original style windows
- a narrow brick-built extension from basement to first floor
- use of a lighter conservatory to complete the extension at ground floor
- a flat roof above the first floor extension
- a timber constructed conservatory in period style
- typical width patio doors to basement level
- matching brick arches where new windows or doors are inserted
- re-use of existing balustrade to garden – in same position relative to rear of house
- retention of original rear wall through to basement level
- cutting back of conservatory from flank wall by 500mm (it is not full width)
- cutting conservatory from full depth of brick extension (500mm)
- solid side panel to external side of conservatory
- maintaining the existing rear building line of other extensions
- a top extension height lower than other rear extensions

22. All of these matters have been carefully thought through because of the need for a quality external appearance whilst addressing the changing internal and external levels of the house. Through clever use of the levels, this has enabled the ground floor of the rear extension to be placed lower down, thus further reducing any visual effect.

23. It is considered that the appeal should be allowed.

# The Planning Inspectorate

Further information about us and the planning appeal system is available on our website [www.planning-inspectorate.gov.uk](http://www.planning-inspectorate.gov.uk)

FOR OFFICIAL  
USE ONLY (Date  
received)

## PLANNING APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 0117 372 6372.

**Please use a separate form for each appeal.**

Your appeal and essential supporting documents must reach the Inspectorate within 3 months of the date shown on the Local Planning Authority's decision notice or, for 'failure' appeals, within 3 months of the date by which they should have decided the application (or within 6 months in the case of applications made before 5 September 2003).

Before completing this form, please read our booklet 'Making your planning appeal' which was sent to you with this form.

**WARNING:** If any of the 'Essential supporting documents' listed in Section J are not received by us within the 3 month period, the appeal will not be accepted.

**Please print clearly in capitals using black ink.**

### A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name Mr and Mrs Lajam

Address 24 Scarsdale Villas

Daytime phone no.

Fax no

Postcode W8 6PR

E-mail address

|           |     |    |     |    |     |          |
|-----------|-----|----|-----|----|-----|----------|
| EX<br>DIR | HDC | TP | CAC | AD | CLU | AO<br>AK |
|-----------|-----|----|-----|----|-----|----------|

R.B.  
K.C. - 3 NOV 2004 PLANNING

### B. AGENT DETAILS FOR THE APPEAL (if any)

Name D'Arcy Associates

Address 9 Lamington Street

London

Postcode W6 0HU

E-mail address

Your reference 2322

Daytime phone no. 020 8741 1193

Fax no 020 8563 7784

|     |   |    |     |      |     |      |
|-----|---|----|-----|------|-----|------|
| N   | C | SW | SE  | APP  | IO  | REC  |
| -ES |   |    | ARB | FPLN | DES | FEES |

### C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the LPA The Royal Borough of Kensington and Chelsea

LPA's application reference no. PP/04/01550

Date of the planning application 08/07/04

Date of the LPA's decision (if issued) 03/09/04

## D. APPEAL SITE ADDRESS

D

Address 24 Scarsdale Villas

London

Postcode W8 6PR

Note: Failure to provide the full postcode may delay the processing of your appeal.

Is the appeal site within a Green Belt?

YES

NO

## E. DESCRIPTION OF THE DEVELOPMENT

Size of the whole appeal site (in hectares)

Area of floor space of proposed development (in square metres)

Has the description of the development changed from that stated on the application form? YES

NO

If YES, please state below the revised wording, and enclose a copy of the LPA's agreement to the change.

## F. REASON FOR THE APPEAL

This appeal is against the decision of the LPA to:-

Please tick **one** box only ✓

- 1 Refuse planning permission for the development described on the application form or in Section E.
  - 2 Grant planning permission for the development subject to conditions to which you object.
  - 3 Refuse approval of the matters reserved under an outline planning permission.
  - 4 Grant approval of the matters reserved under an outline planning permission subject to conditions to which you object.
  - 5 Refuse to approve any matter required by a condition on a previous planning permission (other than those in 3 or 4 above).
- or**
- 6 The failure of the LPA to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.

## G. CHOICE OF PROCEDURE

**G**

Choose **ONE** procedure only.

You should start by reading our booklet 'Making your planning appeal' which explains the different procedures used to determine planning appeals. In short, there are 3 possible methods:- written representations, hearings and inquiries. You should consider carefully which method suits your circumstances.

Please note that when we decide how the appeal will proceed we will take into account the LPA's views.

Please tick 4

### 1. WRITTEN REPRESENTATIONS

This is normally the simplest, quickest and most straightforward way of making an appeal. Three out of every four people making an appeal choose this method. The written procedure is particularly suited to small-scale developments (e.g. extensions to buildings, individual houses or small groups of houses, appeals against conditions and changes of use). It is also very popular with people making their own appeal without professional help. The process involves the submission of written 'grounds of appeal' followed by a written statement and any supporting documents. It also provides an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). An Inspector will study all of the documents before visiting the appeal site/area and issuing a written decision.

**Note: The Inspector will visit the site unaccompanied by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.**

- |  |     |                                     |
|--|-----|-------------------------------------|
| a). If the written procedure is agreed, can the relevant part of the appeal site be seen from a road or other public land? | YES | <input type="checkbox"/>            |
|  | NO  | <input checked="" type="checkbox"/> |
| b). Is it essential for the Inspector to enter the site to check measurements or other relevant facts?                     | YES | <input checked="" type="checkbox"/> |
|  | NO  | <input type="checkbox"/>            |

If the answer to 1b is 'YES' please explain:

### 2.(a) HEARINGS

This process is likely to be suited to slightly more complicated cases which require detailed discussion about the merits of a proposal. Like the written procedure, the process starts with the submission of 'written grounds of appeal' followed by a full written statement of case and an opportunity to comment in writing on the Local Planning Authority's reasons for refusing permission (or failing to determine the application). The Planning Inspectorate will then arrange a hearing at which the Local Planning Authority and the appellant(s) will be represented. Members of the public, interested bodies (e.g. Parish/Town Councils) and the press may also attend. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. The Inspector will visit the site/area and issue a written decision in the same way as the written procedure.

Although you may prefer a hearing the Inspectorate must consider your appeal suitable for this procedure.

### (b) INQUIRIES

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence. Members of the public and press may also attend. In general, inquiries are suggested for appeals that:

- are complex and unduly controversial;
- have caused a lot of local interest;
- involve the need to question evidence through formal cross-examination.

## H. GROUNDS OF APPEAL

H

If you have requested the written procedure, your **FULL** grounds of appeal must be made, otherwise we will return the appeal form.

If you have requested a hearing or an inquiry, you do not have to provide your full grounds of appeal. You can provide only a brief outline of your grounds, but it must be sufficiently detailed and comprehensive enough to enable the LPA to prepare their case.

Refer to our booklet 'Making your planning appeal' for help.

Please continue on a separate sheet if necessary.

SEE ENCLOSED SHEETS



**H. GROUNDS OF APPEAL (continued)**

**H**

See Enclosed Sheets

## I. APPEAL SITE OWNERSHIP DETAILS

I

We need to know who owns the appeal site. If you do not own the appeal site or if you only own a part of it, we need to know the name(s) of the owner(s) or part owner(s). We also need to be sure that any other owner knows that you have made an appeal. **YOU MUST TICK WHICH OF THE CERTIFICATES APPLIES.** Please read the enclosed *Guidance Notes* if in doubt.

If you are the sole owner of the whole appeal site, certificate A will apply:

Please tick **one** box only ✓

### CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody except the appellant, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates:

OR

### CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice (see the *Guidance Notes*) to every one else who, on the day 21 days before the date of this appeal, was the owner (see Note (i) of the *Guidance Notes* for a definition) of any part of the land to which the appeal relates, as listed below:

| Owner's name | Address at which the notice was served | Date the notice was served |
|--------------|--|----------------------------|
|--------------|--|----------------------------|

### CERTIFICATES C & D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D enclosed with the accompanying *Guidance Notes* and attach it to the appeal form.

### AGRICULTURAL HOLDINGS CERIFICATE (This has to be completed for all appeals)

We also need to know whether the appeal site forms part of an agricultural holding. Please tick either (a) or (b). **If the appellant is the sole agricultural tenant, (b) should be ticked and 'not applicable' should be written under 'Tenants name'.**

✓

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding:

OR

(b) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates as listed below:

| Tenant's name | Address at which the notice was served | Date the notice was served |
|---------------|--|----------------------------|
|---------------|--|----------------------------|

## J. ESSENTIAL SUPPORTING DOCUMENTS

J

The documents listed in 1-6 below, **must** be sent with your appeal form; 7-11 must also be sent if appropriate. If we do not receive **all** your appeal documents by the end of the 3 month appeal period, we will not deal with it. Please tick the boxes to show which documents you are enclosing.

- 1 A copy of the original **planning application** sent to the LPA.
- 2 A copy of the **site ownership certificate and ownership details** submitted to the LPA at application stage (this is usually part of the LPA's planning application form).
- 3 A copy of the **LPA's decision notice** (if issued).
- 4 A **plan showing the site outlined in red**, including two roads clearly named (preferably on a copy of a 1:10,000 Ordnance Survey map).
- 5 A list (stating drawing numbers) and copies of all **plans, drawings and documents** sent to the LPA as part of the application.
- 6 A list (stating drawing numbers) and copies of any **additional plans, drawings and documents** sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).

**Copies of the following must also be sent, if appropriate:**

- 7 **Additional plans, drawings or documents** relating to the application but not previously seen by the LPA.  
Please number them clearly and list the numbers here:
- 8 Any relevant **correspondence** with the LPA.
- 9 If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
  - (a) the relevant outline application;
  - (b) all plans sent at outline application stage;
  - (c) the original outline planning permission.
- 10 If the appeal is against the LPA's refusal or failure to decide an application which relates to a **condition**, we must have a copy of the original permission with the condition attached.
- 11 A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
- 12 If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

**PLEASE TURN OVER AND SIGN THE FORM - UNSIGNED FORMS WILL BE RETURNED**

## K. PLEASE SIGN BELOW

K

(Signed forms together with all supporting documents must be received by us within the 3 month time limit)

- 1 I confirm that I have sent a copy of this appeal form and relevant documents to the LPA (if you do not, your appeal will not normally be accepted).
- 2 I confirm that all sections have been fully completed and that the details of the ownership (section I) are correct to the best of my knowledge.

Signature D'Arcy Associates (on behalf of) Mr and Mrs Lajam  
Name (in capitals) D'Arcy Associates Date 1<sup>st</sup> November 2004

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection policy can be found on our website under "Privacy Statement" and in the booklet accompanying this appeal form.

### NOW SEND

● **1 COPY to us at:**

The Planning Inspectorate  
Customer Support Unit  
Room 3/15 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

● **1 COPY to the LPA**

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the documents again, send them any supporting documents not previously sent as part of the application. If you do not send them a copy of this form and documents, we may not accept your appeal.

● **1 COPY for you to keep**

When we receive your appeal form, we will:

- 1) Tell you if it is valid and who is dealing with it.
- 2) Tell you and the LPA the procedure for your appeal.
- 3) Tell you the timetable for sending further information or representations.

**YOU MUST KEEP TO THE TIMETABLE**

**If information or representations are sent late we may disregard them. They will not be seen by the Inspector but will sent back to you.**

- 4) Tell you about the arrangements for the site visit, hearing or inquiry.

At the end of the appeal process, the Inspector will give the decision, and the reasons for it, in writing.

**APPEAL NOTIFICATIONS**

Re 24 Scarsdale Villas, London, W8 6PR

Please complete the list of those to notify of the appeal and return with the file(s) to the Appeal Section within 24 hours. Thank You.

✓ WARD COUNCILLORS:

- ✓ 1. CLLR VICTORIA BOEWICK
- ✓ 2. HON. JOANNA GARDNER
- ✓ 3. JAMES HUSBAND.

✓ KENSINGTON SOCIETY

✓ Mrs. Ethne Rudd, 15 Kensington Square, W8 5HH

CHELSEA SOCIETY (Mr. Terence Bendixson, 39 Elm Park Gardens, London, SW10 9QF)

RESIDENT ASSOCIATIONS AND AMENITY SOCIETIES:

- ✓ 1. ESSA.
- 2.
- 3.

✓ ALL 3RD PARTIES ORIGINALLY NOTIFIED

✓ ALL OBJECTORS/SUPPORTERS

STATUTORY BODIES ORIGINALLY NOTIFIED

ENGLISH HERITAGE

OTHERS .....



# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

Mrs R Townley (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/01550  
Our Ref: APP/K5600/A/04/1166835  
Date: 12 November 2004

|        |     |              |     |      |          |       |
|--------|-----|--------------|-----|------|----------|-------|
| EX DIR | HDC | TP           | CAC | AD   | CLU      | AO AK |
| R.B.   |     | 1.5 NOV 2004 |     |      | PLANNING |       |
| K.C.   |     |              |     |      |          |       |
| N      | C   | SW           | SE  | APP  | IO       | REC   |
| HBS    |     |              | ARB | FPLN | DES      | FEES  |

Dear Madam

**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEAL BY MR & MRS LAJAM**  
**SITE AT 24 SCARSDALE VILLAS, LONDON, W8 6PR**

I have received an appeal form and accompanying documents for this site. I am the case officer. If you have any questions please contact me. Apart from the questionnaire, please always send **2 copies** of all further correspondence, giving the full appeal reference number which is shown at the top of this letter.

I have checked the papers and confirm that the appeal is valid. If it appears at a later stage, following further information, that this may not be the case, I will write to you again.

The appellant has requested the written procedure. Unless you tell me otherwise, I will assume that you do not want an inquiry. The date of this letter is the **starting date** for the appeal.

The following documents must be submitted within this timetable:

**Within 2 weeks from the starting date -**

**You** must notify any statutory parties and any other interested persons who made representations to you about the application, that the appeal has been made. You should tell them that:-

- i) any comments they made at application stage will be sent to me and if they want to make any additional comments, wherever possible, they must submit **3 copies within 6 weeks of the starting date**. If representations are submitted after the deadline, they will not normally be seen by the Inspector and they will be returned.
- ii) they can get a copy of our booklet 'Guide to taking part in planning appeals' free of charge from you, and
- iii) if they want to receive a copy of the appeal decision they must write to me asking for one.

**You** must submit a copy of a completed appeal questionnaire with copies of all necessary supporting documents, to the appellant and me. It is essential that details of all the relevant development plan policies are included with it at this early stage.

**Within 6 weeks from the starting date -**

**You** must submit 2 copies of your statement to me if the appeal questionnaire does not comprise the full details of your case. The appellant must submit 2 copies of any statement to me if it proves necessary to add to the full details of the case made in the grounds of appeal. I will send a copy of your statement to the appellant and send you a copy of their statement. Please keep your statement concise, *as recommended in Annex 1(i) of DETR Circular 05/2000*. I will send you and the appellant a copy of any comments submitted by interested parties.

**Within 9 weeks from the starting date -**

**You** and the appellant must submit 2 copies of any final comments on each other's statement and on any comments on any representations from interested parties to me. Your final comments must not be submitted in place of, or to add to, your 6 week statement and no new evidence is allowed. I will forward the appellant's final comments to you at the appropriate time.

Site visit arrangements

We will arrange for our Inspector to visit the appeal site and we will send you the details. Our aim is to arrange the visit within 12 weeks of the **starting date**, but from time to time it may take us a little longer.

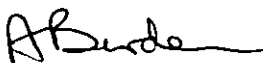
You **must keep to the timetable** set out above and ensure your representations are submitted within the deadlines. If not, your representations will not normally be seen by the Inspector and they will be returned to you. Inspectors will not accept representations at the site visit, nor will they delay the issue of their decision to wait for them. As I have given details of the timetable, I will not send you reminders. Please see attached annex with regard to attaching documents.

Planning obligations - Section 106 agreements

A planning obligation, often referred to as a 'section 106 agreement', is either a legal agreement made between the LPA and a person 'interested in the land', or a legally binding undertaking signed unilaterally by a person 'interested in the land'.

If you intend to rely on an obligation, you must submit a completed, signed and dated copy ten working days before the date of the site visit. An Inspector will not normally delay the issue of a decision to wait for the completion of an obligation.

Yours faithfully



Mr Mr Dave Shorland

102(BPR)

## Submission of appeal statements and proofs of evidence

We will shortly be introducing the Planning Casework Service ([www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs)). When it is introduced you will be able to submit your appeal documents electronically.

In preparation for this, it would assist us greatly, if you could prepare your appeal documents in the following way:

1. Type the information using the 'sans serif' font sizes of at least 11 point. ('Sans serif' fonts are easier to read on screen, common examples are Arial and Verdana.)
2. Use A4 size paper wherever possible.
3. Print documents on both sides of a page if you want to, but please ensure that the quality of paper is such that images from one side of the page do not show through to the other side.
4. Use black ink and capitals if you need to write on a document.
5. Ensure photocopied documents are clear and legible.
6. Place photographs, maps, plans, etc., in a separate appendix and cross-reference them within the main body of the document. Do not stick photographs to sheets of paper. Put them in an envelope and write the site address or appeal reference number if known on the back.
7. Bind documents in such a way that bindings can be undone quickly without damaging the document. Avoid using wire or plastic spiral binders.
8. Avoid using cover sheets, sleeves or other bindings that do not add value or information.
9. Ensure that the pages of documents are clearly numbered.
10. Please do not send valuable original documents unless these are specifically requested.
11. Please do not include post-it notes or small attachments which might be easily dislodged or lost.





# The Planning Inspectorate

3/07 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

<http://www.planning-inspectorate.gov.uk>

Direct Line 0117-3728930  
Switchboard 0117-3728000  
Fax No 0117-3728443  
GTN 1371-8930

Mrs R Townley (Dept Of Planning & Conservation)  
Kensington And Chelsea R B C  
Planning Services Department  
3rd Floor  
The Town Hall  
Hornton Street  
London  
W8 7NX

Your Ref: PP/04/01550  
Our Ref: APP/K5600/A/04/1166835  
Date: 12 November 2004

Dear Madam  
**TOWN & COUNTRY PLANNING ACT 1990**  
**APPEAL BY MR & MRS LAJAM**  
**SITE AT 24 SCARSDALE VILLAS, LONDON, W8 6PR**

### Site visit arrangements

As is stated in the enclosed letter, our aim is to arrange the visit within 12 weeks of the starting date. However, a steep rise in the number of appeals submitted means that there is currently a backlog, and as a result it may not be possible for the visit to take place until 45-50 weeks after the date of this letter.

We are doing everything we can to address the problem, including bringing forward site visits to take place of any that, for whatever reason, fall away at the last minute. For that reason we are still asking for the submission of statements within the existing timeframes.

Yours faithfully

Katrine Sporle  
Chief Executive

|              |             |      |     |      |          |          |
|--------------|-------------|------|-----|------|----------|----------|
| EX<br>DIR    | HDC         | TP   | CAC | AD   | CLU      | AO<br>AK |
| R.B.<br>K.C. | 15 NOV 2004 |      |     |      | PLANNING |          |
| N            | C           | S.I. | SE  | APP  | IO       | REC      |
| HBS          |             |      | ARB | FPLN | DES      | FEES     |

File Copy  
Captured on  
01-11-04

To: Policy, Transportation,  
Conservation & Design

From: Lesley Jones

Date: 05 November 2004

**NEW APPEAL**  
**ADVANCE WARNING**

YOU OR YOUR SECTION MAY BE INVOLVED IN  
THE PREPARATION OF A STATEMENT OR EVIDENCE

**ADDRESS: 24 Scarsdale Villas, London, W8 6PR**

**OUR REF: PP/04/01550 ODPM REF: App/K5600/A/04**

**DEVELOPMENT:** Erection of rear extension at basement, ground floor and  
1st floor half landing, and new windows to the side elevation at 1st floor,  
ground floor and basement level.

**TYPE OF APPEAL: Refusal of Permission**

**REASONS FOR REFUSAL:** See attached sheet

**D.C. CASE OFFICER:** Ms.E. Richards **D.C. AREA:** Central Area Team

It is anticipated at this stage that input will be required from the  
following sections:-

|                    |   |
|--------------------|---|
| ✓ Design <i>HB</i> | Transportation                            |
| Policy             | R & I                                     |
| Trees              | Environmental Health - Noise (Ian Hooper) |
| Housing            | Housing (Stanley Logan)                   |

Please contact the Case Officer for further details.

Thank you.

Lesley Jones  
Head of Development Control

PP/04/01550

REASON(S) FOR REFUSAL:

1. The proposal to construct a full-width extension at lower and upper ground floor levels as well as a half-width extension at first floor level on a largely unaltered property within a conservation area is considered excessive in terms of bulk and scale and will lead to the further erosion of the character and appearance of the property. The proposal is also considered to result in considerable harm to the character and appearance of the surrounding conservation area, which it fails to either preserve or enhance. The proposal is, therefore, considered not to comply with the Council's Unitary Development Plan policies, in particular, Policies CD27, CD47, CD48, CD57, CD61 and CD62.
  
2. The proposed extensions at no.24, if constructed in isolation of the same scheme proposed at the adjoining property of no.22, would result in a sense of enclosure and loss of light to that property in particular whilst also affecting the existing amenities of the neighbouring property at no.26. The proposal is, therefore, considered not to comply with the Council's Unitary Development Plan policies, in particular, Policies CD33 and CD36.

NEW APPEAL

DATE: 05/11/2004

TO: Mr.P. Kelsey

A NEW APPEAL HAS BEEN RECEIVED, WHICH FALLS IN YOUR AREA - FILE(S)  
ATTACHED. THE SITE ADDRESS IS:

24 Scarsdale Villas, London, W8 6PR

1. PLEASE INDICATE THE OFFICER WHO WILL BE DEALING WITH THIS  
APPEAL.

*Alan Richards*

2. PLEASE INDICATE THE PROCEDURE BY WHICH YOU WISH THE APPEAL TO  
BE DETERMINED.

- ✓ • WRITTEN REPRESENTATIONS
- HEARING
- PUBLIC INQUIRY

N.B. The appellant has requested Written Reps/a Hearing/an Inquiry. The appellant has the right to be heard. If the appellant wants a Hearing and you choose Written Reps, this may result in an Inquiry. If the appellant requests an Inquiry and you would prefer a Hearing, a letter outlining reasons why will normally be required.

3. **YOU ARE REMINDED TO ORDER LAND USE MAPS AS APPROPRIATE AT THIS STAGE.**

PLEASE RETURN THIS SHEET AND THE ATTACHED FILE(S) TO THE APPEALS  
SECTION WITHIN **24 HOURS**

THANK YOU

**Famous Residents**

|                               |                     |
|-------------------------------|---------------------|
| Leigh Hunt (James Henry)      | 32 Edwardes Square  |
| Chesterton (Gilbert Keith)    | 1 Edwardes Square   |
| Chesterton (Gilbert Keith)    | 11 Warwick Gardens  |
| Du Maurier (George)           | 12 Edwardes Square  |
| Lowes (Dickinson Goldsworthy) | 11 Edwardes Square  |
| Flanders (Michael)            | 1A Scarsdale Villas |

1840-51  
1901  
1867-70

Essayist and Reformer  
Poet and Novelist  
Poet and Novelist  
Artist and Novelist  
Author and Humanist  
Musician and Humourist

The following buildings are considered to be of equal merit to those currently included in the statutory list:

|                   |   |
|-------------------|---|
| Abingdon Road     | 9, 32-38 even 56-70 even                    |
| Abingdon Villas   | 4-32 even 45-63 odd 46-64 even              |
| Allen Street      | 1-12 Inkerman Terrace,<br>1-10 Alma Terrace |
| Edwardes Square   | 23A Scarsdale Arms Public House             |
| Marloes Road      | 37-67 odd                                   |
| Pembroke Cottages | 1, 2  |
| Pembroke Gardens  | 35  |
| Pembroke Square   | 21, 22, 23                                  |
| Pembroke Villas   | 1-5 consecutive                             |
| Scarsdale Villas  | 1-27 odd 2-36 even                          |
| Warwick Gardens   | 1-9 odd 31-41 odd                           |

|                  |                              |
|------------------|------------------------------|
| Pembroke Road    | 2-8 even                     |
| Pembroke Villas  | 6, 7                         |
| Scarsdale Villas | 38-72 even, 29-57 odd        |
| Stratford Road   | 11, 13A, 15-23, 25-37, 54-60 |
| Warwick Gardens  | 11                           |

Residents suggested the following buildings for consideration for listing by the Secretary of State for the Environment.

|                       |                                    |
|-----------------------|------------------------------------|
| South Edwardes Square | 59, 23A, Scarsdale Public House    |
| Earls Court Road      | The Princess Victoria Public House |
| Pembroke Gardens      | 32                                 |
| Pembroke Studios      | A11                                |

The Council have been informed by the Department of the Environment that 59 South Edwardes Square and Pembroke Studios are not considered to be of sufficient interest to be listed.

**Other buildings of local interest**

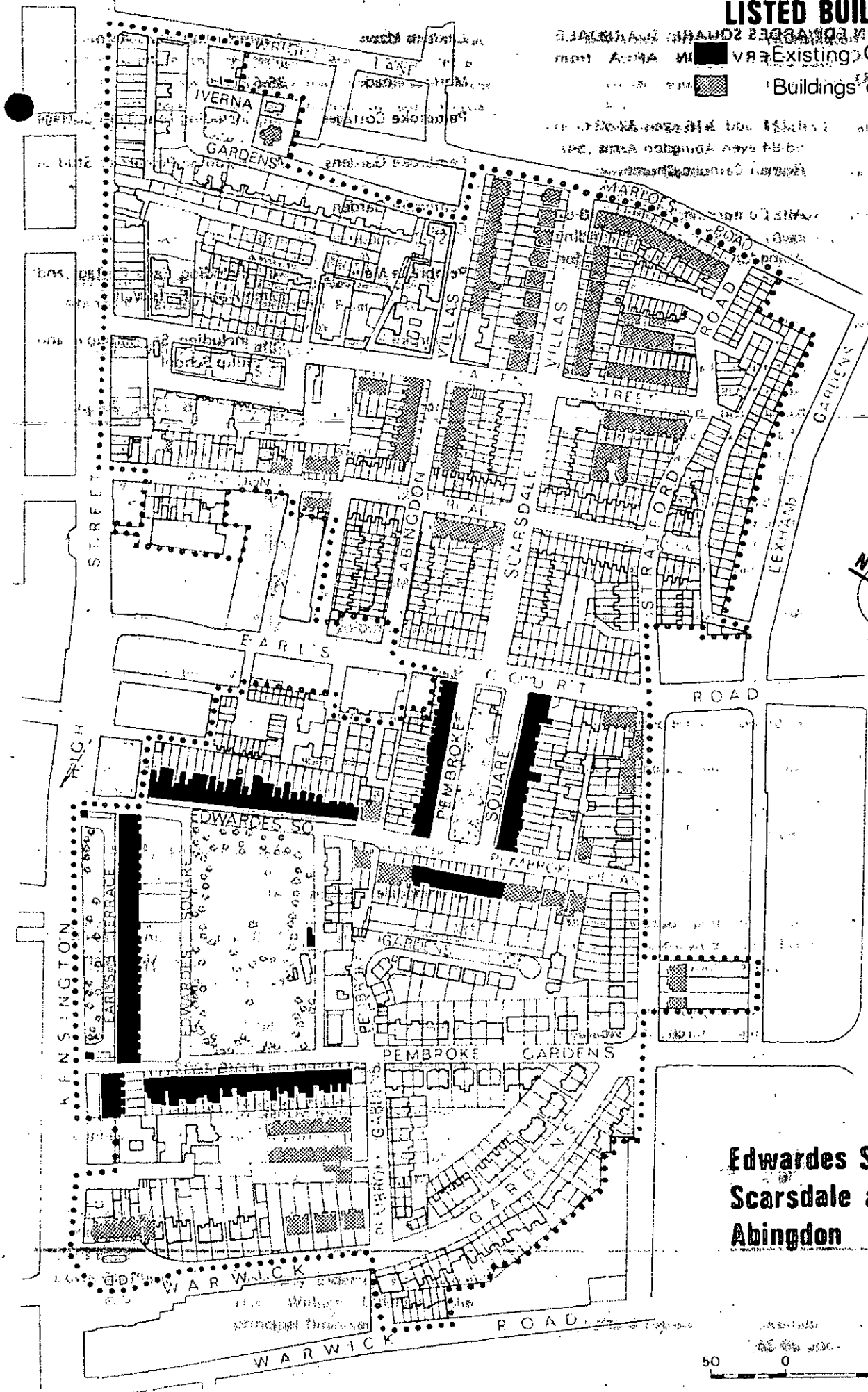
|                  |  |
|------------------|--|
| Abingdon Road    | 31-39, 43-39, 57-67, 40-52, 54, 69-87, 89-93, 72-94, 103-103-111 |
| Abingdon Villas  | 65-85 odd, 66-82 even  |
| Allen Street     | 1-12 Phillimore Terrace,<br>3-6 Shaftesbury Villas               |
| Earls Court Road | 98-106 even, 47-95 odd   |

There is some street furniture of special interest in the area.

- Lamps in Adam and Eve Mews, Edwardes Square and Earls Terrace
- Bollards in Warwick Gardens opposite Pembroke Gardens
- Railings in the central space of Edwardes Square
- Letterbox outside No. 27 Pembroke Gardens

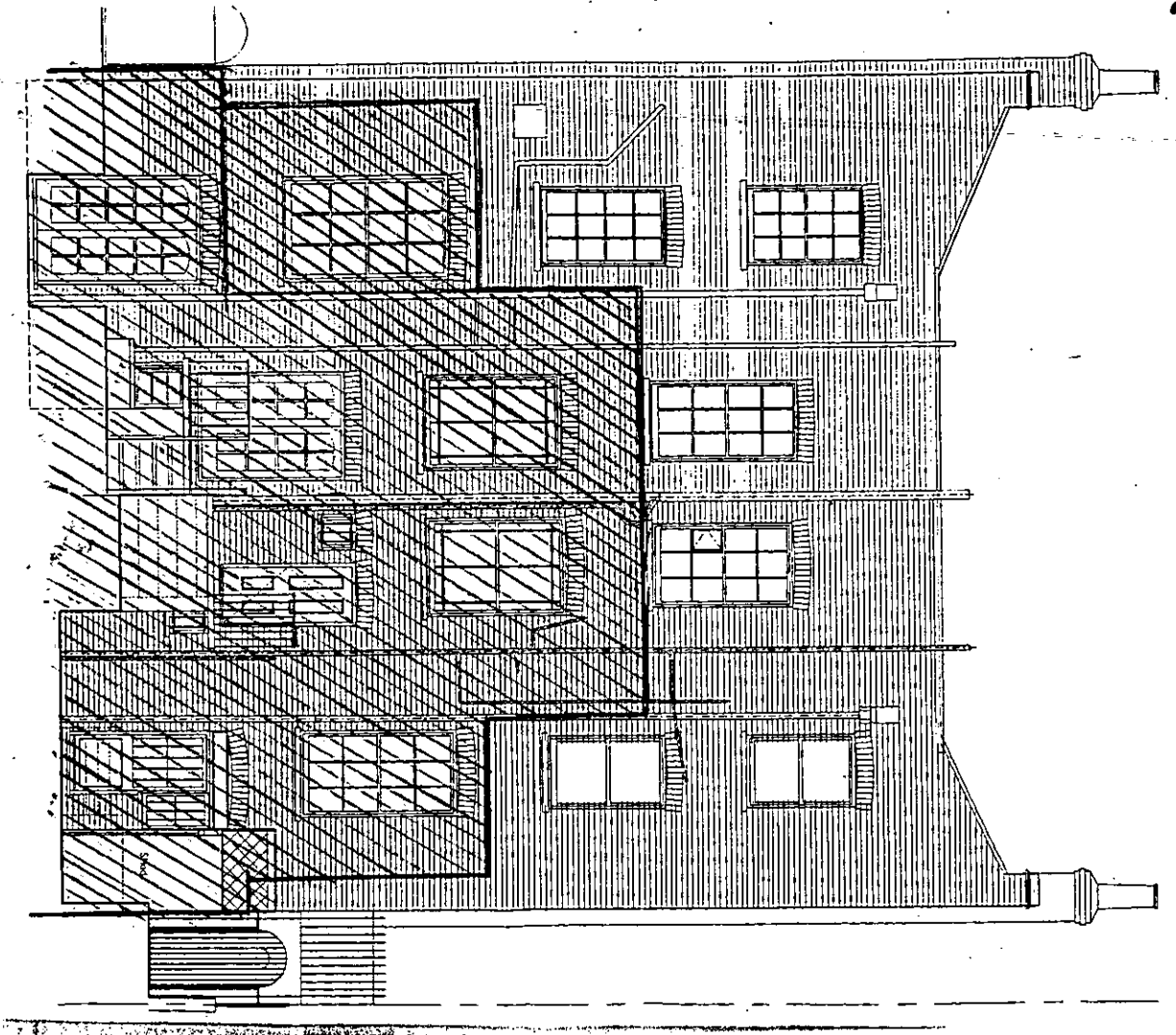
**LISTED BUILDINGS**

Existing Grade II  
Buildings of merit

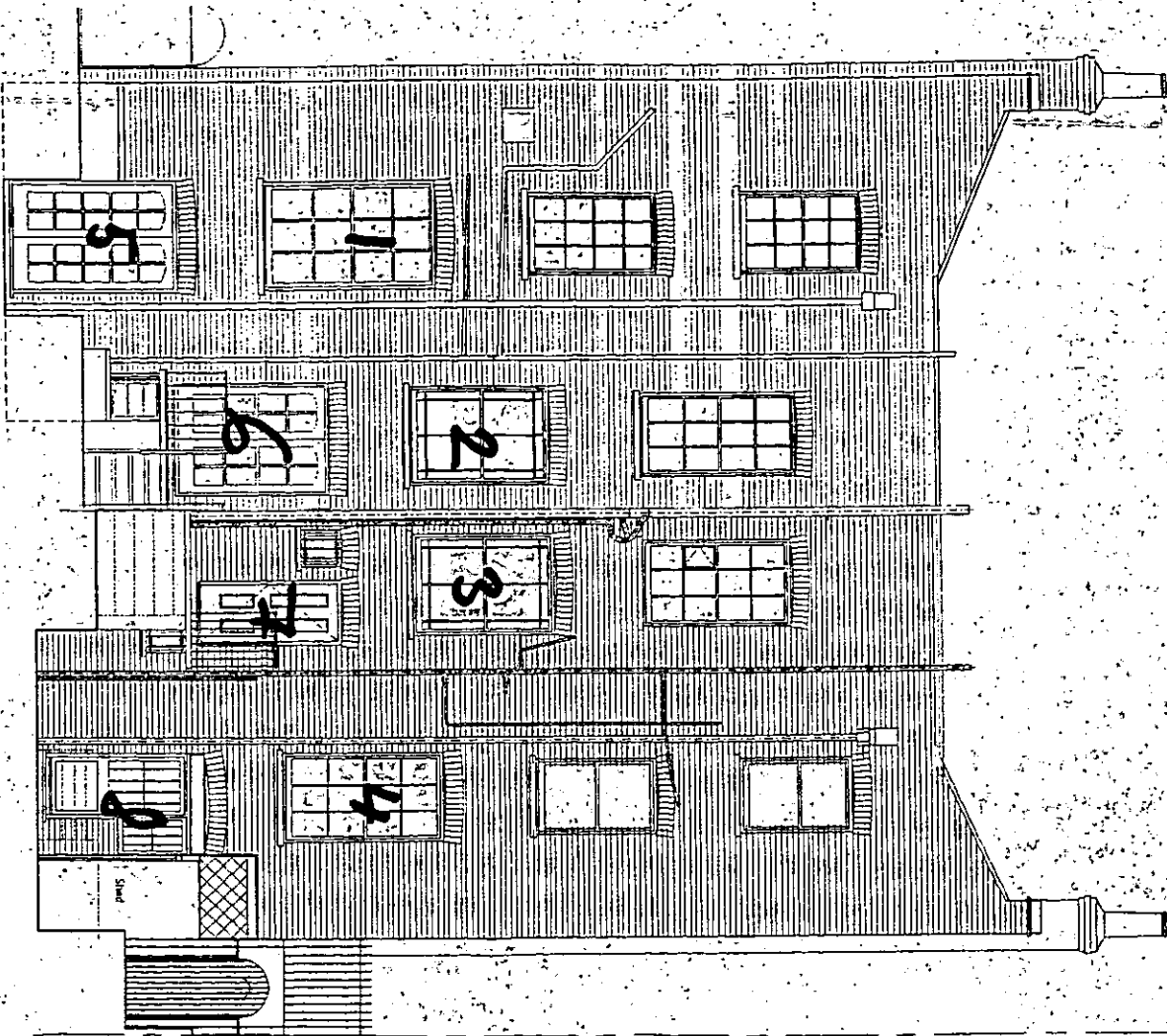


**Edwardes Square  
Scarsdale and  
Abingdon**

22/24 Scarsdale Villas



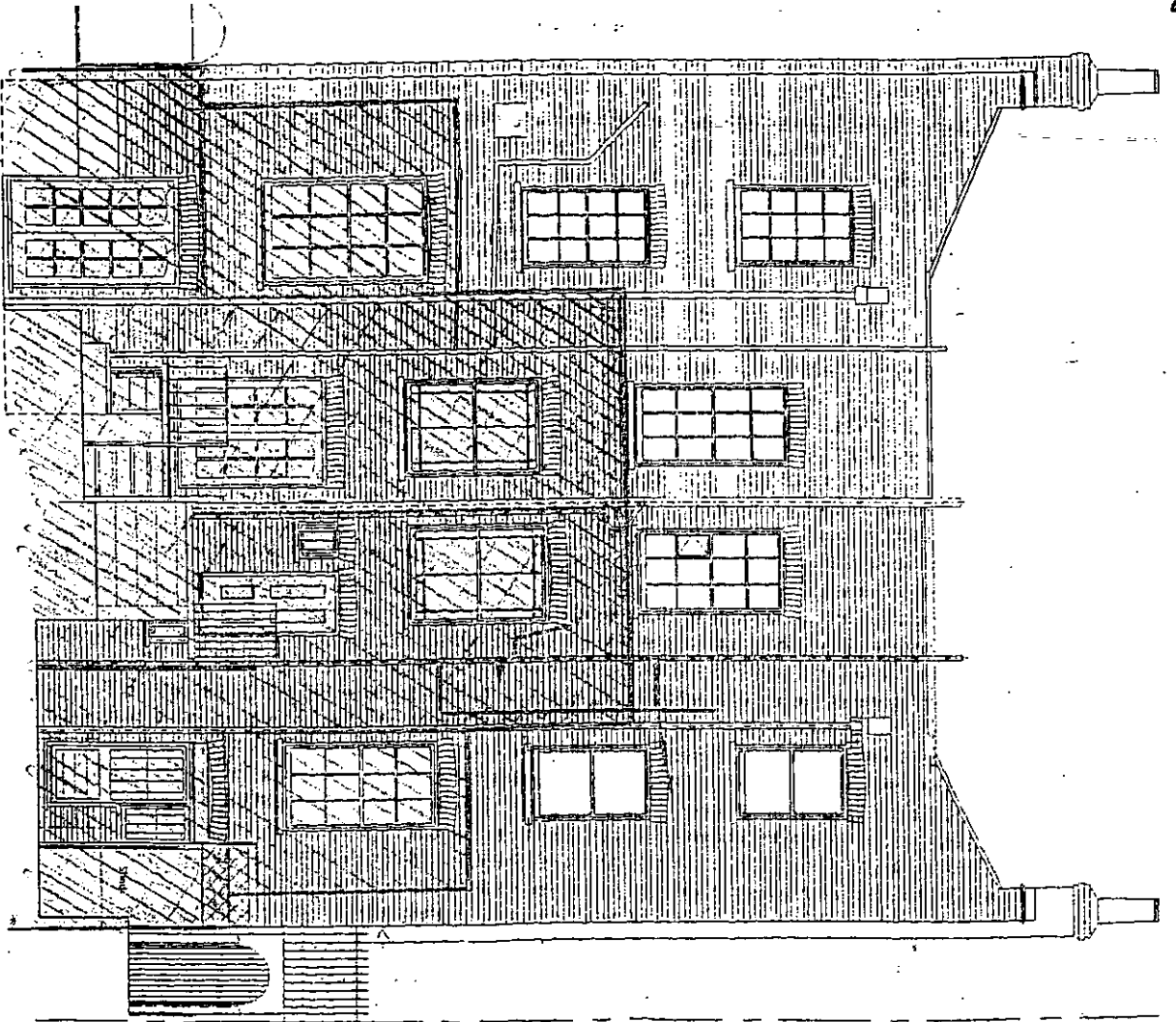
EXISTING REAR ELEVATION WITH SUPERIMPOSED  
TOTAL EXTENSION PROPOSED



EXISTING REAR ELEVATION

Original windows/door openings in the main rear wall would be re-materialised. Only 6 original openings above would remain.

22/24 Scarsdale Villas



The volume of extension would be  
considered acceptable.



## SUGGESTED CONDITIONS

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The development hereby permitted shall be carried out exactly and only in accordance with the drawings and other particulars forming part of the permission and there shall be no variation therefrom without the prior written approval of the Executive Director, Planning and Conservation.
3. All work and work of making good shall be finished to match the existing original work in respect of material, colour, texture and profile and, in the case of brickwork, facebond and pointing unless otherwise approved by the Executive Director, Planning and Conservation in writing.
4. All new windows and doors shall be timber framed, single glazed and so maintained.
5. The railings hereby approved shall be black painted and so maintained.
6. The flat roof of the first floor level extension hereby approved shall not be used as a roof terrace at any time without the prior approval of the local planning authority.

---

**PLANNING AND CONSERVATION**

**THE TOWN HALL HORNTON STREET LONDON W8 7NX**

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

File Copy

Switchboard: 020-7937-5464

1 Direct Line: 020-7361-3190

Extension: 3190

Facsimilie:

020-7361-3463

Date: 22 November 2004

---

My Ref: DPS/DCC/PP/04/01550

Please ask for: Ms.E. Richards

ODPM's Reference: App/K5600/A/04/1166835

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Notice of a Planning Appeal relating to: 24 Scarsdale Villas, London, W8 6PR**

**Appellant: Mr. & Mrs. Lajam, Agent: D'Arcy Associates,**

A Planning Appeal has been made by Mr. & Mrs. Lajam, to the Planning Inspectorate in respect of the above property. This appeal is against the Council's decision to refuse planning permission for : Erection of rear extension at basement, ground floor and 1st floor half landing, and new windows to the side elevation at 1st floor, ground floor and basement level.. This appeal will proceed by way of **WRITTEN REPRESENTATIONS**. Any representations you wish to make should be sent to: **The Planning Inspectorate, Room 3/07 Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN**. Please note that any representations already made at application stage will be forwarded to the Inspectorate.

Please send 3 copies and quote the ODPM's reference given above. **The Inspectorate must receive your representations by 24/12/2004 for them to be taken into account.** (Representations made in respect of the planning application have already been copied to the Inspectorate, and these will be considered when determining the appeal unless they are withdrawn before 24/12/2004). Correspondence will only be acknowledged on request. Any representations will be copied to **all** parties including the Inspector dealing with the appeal and the Appellant. Please note that the Inspectorate will only forward a copy of the Inspector's decision letter to those who request one.

I attach a copy of the Council's reasons for refusal and the Appellant's grounds of appeal. The Appellant's and Council's written statements may be inspected in the Planning Information Office after 24/12/2004 (**please telephone ahead in order to ensure that these are available**). If you have any further queries, please do not hesitate to contact the case officer on the above extension.

**Yours faithfully**

**M. J. FRENCH**

**Executive Director, Planning and Conservation**

## NOTICE OF A PLANNING APPEAL

### Reasons for Refusal

1. The proposal to construct a full-width extension at lower and upper ground floor levels as well as a half-width extension at first floor level on a largely unaltered property within a conservation area is considered excessive in terms of bulk and scale and will lead to the further erosion of the character and appearance of the property. The proposal is also considered to result in considerable harm to the character and appearance of the surrounding conservation area, which it fails to either preserve or enhance. The proposal is, therefore, considered not to comply with the Council's Unitary Development Plan policies, in particular, Policies CD27, CD47, CD48, CD57, CD61 and CD62.
2. The proposed extensions at no.24, if constructed in isolation of the same scheme proposed at the adjoining property of no.22, would result in a sense of enclosure and loss of light to that property in particular whilst also affecting the existing amenities of the neighbouring property at no.26. The proposal is, therefore, considered not to comply with the Council's Unitary Development Plan policies, in particular, Policies CD33 and CD36.

### Property

24 Scarsdale Villas, London, W8 6PR

### Proposal

**Erection of rear extension at basement, ground floor and 1st floor half landing, and new windows to the side elevation at 1st floor, ground floor and basement level.**

---

Plans and drawings are/are not available for inspection.

(If plans are available, these may be seen in the Planning Information Office between the hours of 9.15 a.m and 4.30 p.m Mondays to Thursdays and between 9.15 a.m and 4.00 p.m on Fridays)

---

12. The detailed grounds of appeal are now set out:

**Policies CD47 and CD48 - Extensions and Conservatories**

13. Policy CD47 resists an extension if it:

- results in the rear building line of adjacent extensions being exceeded
- reduces significantly the garden amenity area
- rises above the general height of neighbouring properties
- is not visually subordinate to the parent building
- results in a cliff-like effect along any boundary
- spoils or disrupts the even rhythm of rear additions; full width extensions will not usually be allowed
- reduces daylight and sunlight to neighbouring dwellings
- leads to significant overlooking
- has details and materials which are not in character with the building
- breaches the front building line
- blocks or diminishes an important or historic gap

14. Through careful design, the appeal proposal results in none of these problems. It should be assumed therefore that permission should have been granted at the application stage.

15. Policy CD48 resists conservatories if they:

- are located at roof level
- are significantly above garden level
- cover the whole width of the property
- are located on a corner site

16. Again, the appeal proposal does not fall into any of these categories and should be said to comply with Policy CD48.

**Policies CD27, CD57 and CD61 - Preservation and Enhancement**

17. The appeal site can only be seen from the properties and gardens of those aligning Scarsdale Villas and certain facing properties. Any impact on the Conservation Area is therefore restricted to private views rather than from public roads or footpaths. The key question is whether the townscape would be unharmed and thus preserved.

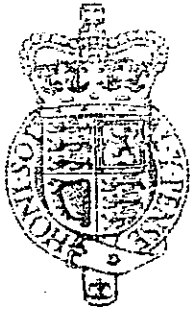
18. Photographs of the surrounding garden areas were attached to the planning application to illustrate what has taken place in the immediate vicinity of the appeal site. There are examples of flat roofs, conservatories, differing window styles, high level extensions and building depths. These have all been given due regard in the proposed design which is now described below. In this way, it is considered to both preserve and enhance the character and appearance of the Conservation Area.

**Policies CD33 and CD36 - Residential Amenity**

19. The appeal proposal is to be undertaken jointly with a mirrored proposal at No. 22 Scarsdale Villas. This would lead to a joined central extension along the party wall of these semi-detached villas.

20. The appellants would accept a planning condition or a Section 106 Agreement for both schemes to be undertaken jointly – there would of course in any event be significant cost savings to this approach.

FURTHER DETAILS ARE AVAILABLE AT:  
RBKC, TOWN HALL, HORTON STREET, LONDON, W8 7NX.



# Appeal Decisions

Site visit made on 19 April 2005

by Douglas P Machin BSc DipTP MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
M/G Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PH  
☎ 0117 372 8372  
e-mail: enquiries@planning-  
inspectorate.gov.uk

Date

05 MAY 2005

Appeal Refs: APP/K5600/A/04/1166835 and 1167494  
24 and 22 Scarsdale Villas, London W8 6PR

- The appeals are made under section 78 of the Town and Country Planning Act 1990 against refusals to grant planning permission.
- The appeals are made by Mr and Mrs Lajam and Mr and Mrs Marrero against the decisions of the Royal Borough of Kensington and Chelsea.
- The application Refs: PP/04/01550 and PP/04/01549, both dated 8 July 2004 were refused by notices dated 3 September 2004.
- The developments proposed are:
  - A rear extension at basement, ground floor and first floor half landing; and new windows to the side elevation at first floor, ground floor and basement level.
  - A rear extension at basement, ground floor and first floor half landing.

## Decisions

1. **The appeals are dismissed.**

## Reasons

2. The appeal properties are a pair of semi-detached, early Victorian villas that have remained largely unaltered. Their quality is recognised in the Council's Conservation Area Policy Statement. Whilst I accept that the appearance and character of the Conservation Area derives to a large extent from the distinctiveness of the street scene, which would not be affected by these proposals on the rear of the appeal properties, the quality and integrity of whole buildings is also an important consideration, in my view. The main issue therefore in both appeals is whether the proposed developments would be overly dominant and thereby fail to preserve or enhance the appearance and character of the appeal properties and the Edwardes Square, Scarsdale and Abingdon Conservation Area.
3. I do not disagree with the appellants' contention that the Conservation Area designation does not mean that no further alterations or extensions can be permitted. I have also had regard to the extensions to nearby properties referred to by the appellants, some of which the Council has no record of granting planning permission for. Nevertheless, Policies in the Unitary Development Plan aim to raise the quality of development in the Borough and not simply to use previous developments, some of which would probably not be granted permission now, as the benchmark for permitting new proposals.
4. In these cases, the submitted plans indicate to me a thoughtful approach to design details that is to be commended. However, more importantly, they show rear extensions extending across the full width of both buildings at lower ground floor level, nearly the full width at upper ground floor level and a half width extension at first floor level, projecting 3.5 m from the existing buildings. Part of the extensions at upper ground floor level would take the form of glazed conservatories with shallow pitched roofs. Whilst I do not rule out some form of rear extension to the appeal properties, in my judgement what is proposed under the current schemes is excessive and not sufficiently sympathetic to the original buildings' appearance and character. I agree with the Council that the extensions would, by not being subservient but relatively too large, unacceptably alter the proportions and detail of the original buildings. The extensions would be very noticeable from the rear of several properties in Abingdon Gardens to the north. Furthermore they would occupy a

significant part of the gardens to the properties, thereby eroding further the limited spaciousness of the area between Scarsdale Villas and Abingdon Gardens.

5. These would be retrograde steps, in my view, that would harm the Conservation Area by adding further developments that would take two important, original buildings and their surroundings further away from the characteristics and qualities that led to the Conservation Area designation. The glazed and wood panelled conservatory element of the proposals would be a particularly uncharacteristic and unsympathetic form of development, although I note the appellants' willingness to proceed without this forming part of any planning permission I might have been minded to grant.
6. I have therefore reached the conclusion that these proposals, singly or together, do not accord with the UDP Policies relevant in these appeals. The proposals would not comply with Policy CD47 (d) and (b) in that the extensions would not be visually subordinate to the parent buildings, and they would spoil the sense of garden openness when viewed from properties around. Furthermore CD62 (a) and (b) would not be complied with, for the reasons stated above. The conservatory element of the proposals would not comply with Policy CD48 (b). In sum, the appearance and character of the Conservation Area would not be preserved or enhanced, as required by Policy CD61. Accordingly, I must dismiss both appeals.
7. I have taken account of all the other matters raised. In respect of the objections raised by neighbours on the grounds of reduction in privacy levels and sunlight/daylight, I find no substance in those, and would not have dismissed the appeals for those reasons. Nevertheless, neither these, nor any other matter raised, outweigh the considerations that lead to my decisions.

D. P. Machin.

D P Machin

Inspector

---

**PLANNING AND CONSERVATION**

---

THE TOWN HALL HORNTON STREET LONDON W8 7NX

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Office of the Deputy Prime Minister,  
3/07 KiteWing,  
Temple Quay House,  
2 The Square, Temple Quay,  
Bristol, BS1 6PN

Switchboard: 020-7937-5464

Direct Line: 020-7361-2081

Extension: 2081

Facsimile: 020-7361-3463

**THE ROYAL  
BOROUGH OF**



**KENSINGTON  
AND CHELSEA**

---

Date: 23 December 2004

My Ref: DPS/DCC/PP/04/01549/ER

ODPM's Reference: App/K5600/A/04/1167494 Please ask for: Rebecca Townley

Dear Sir/Madam,

**TOWN AND COUNTRY PLANNING ACT 1990**

**Appeal relating to: 22 Scarsdale Villas, London, W8 6PR**

With reference to the Appeal on the above premises, I attach 2 copies of this Council's statement.

Yours faithfully

**Michael J. French**

**Executive Director, Planning and Conservation**

Enc.



**INVESTOR IN PEOPLE**

---

# PLANNING AND CONSERVATION

THE TOWN HALL HORNTON STREET LONDON W8 7NX

---

Executive Director M J FRENCH FRICS Dip TP MRTPI Cert TS

---

Mr D Shorland  
Office of the Deputy Prime Minister  
3/07 Kite Wing  
Temple Quay House  
2 The Square, Temple Quay  
Bristol BS1 6PN

Switchboard: 0207 9375464  
Extension: 3190  
Direct Line: 0207 3613190  
Facsimile: 0207 3613463  
Email: elen.richards@rbkc.gov.uk  
Web: www.rbkc.gov.uk



**KENSINGTON  
AND CHELSEA**

---

20th December 2004

---

My reference: DPS/DCC/PP/04/ 1549 & PP/04/1550/ER Your reference: APP/K5600/A/04/ 1166835 & 1167494 Please ask for: Elen Richards

Dear Sirs,

## **Town and Country Planning Act 1990**

### **Re: Planning Appeal relating to 22 and 24 Scarsdale Villas, London, W8**

I refer to the appeals made by Mr & Mrs Marrero and Mr & Mrs Lajam under Section 78 of the Town and Country Planning Act 1990 against the Council's decision to refuse planning permission for the erection of rear extensions at basement, ground and first floor levels at nos. 22 and 24 Scarsdale Villas respectively.

Planning applications were submitted by each of the appellants for determination by this authority for the proposal outlined above. Both applications were refused under this Council's Delegated Decision procedure on 3<sup>rd</sup> September 2004 (**Enclosure 1**). The content of both reports (**Enclosure 2**) together with these additional comments and enclosures form the Council's Statement of Case relating to both appeals.

### **The Character of the Appeal Premises and Surrounding Area**

Nos. 22 and 24, Scarsdale Villas form a pair of semi-detached residential villas located in the central section of similar villas on north side of the road. This group of nine semi-detached pairs of villas is located between the north to south running Marloes Road and Allen Street. Both properties comprise of basement, ground and three upper storeys and represent possibly the best preserved semi-detached pair in this group.

The appeal properties are in use as single family dwelling houses. Neither property is listed but both lie within the Edwards Square, Scarsdale and Abingdon Conservation Area.

The 'Edwardes Square and Scarsdale Conservation Area' was designated in 1970. This original area was based around the listed buildings in Edwardes Square, Earls Terrace and Pembroke Square and the then current London County Council designation of amenity building groups including those in Abingdon and Scarsdale Villas and Abingdon and Stratford Roads. The conservation area was considerably extended in 1974 and again in 1981 and 1982. As can be seen Scarsdale Villas were included in the original 1970 designation which covered the most important core townscape groups. The Edwardes Square Scarsdale and Abingdon Conservation Area Policy Statement which was



INVESTOR IN PEOPLE



published in the early 1980's identifies Scarsdale Villas among building groups of merit (see extract from this statement in **Enclosure 3**)

This conservation area includes building groups of special architectural and historic character spanning late Georgian, Victorian and Edwardian developments. The area of the present day Scarsdale Villas, Abingdon Villas, Abingdon Road, Allen Street and the north side of Stratford Road was developed in the decade between 1852–1862. These early Victorian terraces and villa pairs display fine classical proportion and are mostly characterised by ornate stucco faced front facades with more mellow appearance of the London Stock brick covered rear and side elevations.

The conservation area policy statement describes this group of buildings as follows:

'True 'Villa' style houses are to be found on the north side, east end of Scarsdale Villas in a group of nine paired houses. This is a fascinating and diverse group of houses all having some feature of glazing, stucco detail or cast ironwork to catch the eye, capping this singularly attractive street.'

### **Local Policies and supplementary guidance**

The Council's Unitary Development Plan (UDP) was formally adopted in May 2002 and is the statutory development plan for the Borough, to which Section 54A of the Town and Country Planning Act 1990 applies.

Paragraph 4.1 of both the Council's reports refers to the relevant policies contained within the 'Conservation and Development' chapter of the UDP, which have been sent to you under separate cover.

The Edwardes Square Scarsdale and Abingdon Conservation Area Policy Statement mentioned above provides the supplementary guidance. Whilst the historical and architectural descriptions of the area in this statement are still clearly valid, its early 1980's development control advice has been partly superseded by the more detailed recent advice in the UDP.

### **Legislation and Central Government Policy**

The Royal Borough's Unitary Development Plan and the Mayor's Spatial Development Strategy (London Plan) are the most relevant documents in the consideration of planning applications as they form part of the Royal Borough's Development Plans for purposes of S54A of the Town and Country Planning Act 1990. The status of the development plan is confirmed by s.38 (6) of the Planning and Compulsory Purchase 2004 Act which states:

*"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."*

Planning Policy Guidance: Planning and the Historic Environment (PPG15) provides guidance to local planning authorities on relevant issues to be taken into consideration when determining applications in conservation areas and is, therefore, relevant to these appeals. On the use of planning powers in conservation areas, paragraph 4.14 states 'that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.'

### **Reasons for Refusal and Amplification of the Council's Case**

The Council has justified the refusal of planning permission for both applications on two counts. These are based mainly upon the impact both schemes would have upon the character and appearance of the pair of buildings itself and consequently the special character and appearance of the surrounding

conservation area as well as the implications either scheme would have upon the existing amenities of the surrounding properties.

The primary reason for refusals relates to the impact the proposed development would have upon the character and appearance of this pair of semi-detached villas and of the surrounding conservation area by virtue of the overall bulk and scale of the proposed extensions. The construction of full-width extensions are generally not favoured by the local authority in its historic conservation area townscapes, as they can often appear over-dominant additions in relation to the scale of the parent building. Full-width extensions are also more likely to affect the existing amenities of neighbouring properties by either affecting light levels or increasing the sense of enclosure at site boundaries. Notwithstanding the above, full-width extensions at basement level only are sometimes considered acceptable as they are less likely to result in such harm to either the scale or appearance of the building or the amenities of neighbouring properties.

The appeal schemes propose full width extensions at both the lower and upper ground floor levels as well as the half width extensions at the first floor level. This large resulting extension across the so far unaltered original rear elevation of this pair of villas is not acceptable in principle. It is considered that such substantial addition would harm the surviving historic character and appearance of the building pair itself and of the surrounding conservation area as well as the existing amenities of the neighbouring properties.

Unfortunately, a number of pairs of villas along the north side of Scarsdale Villas have been altered considerably in the past (but mostly prior to the conservation area designation), often without sensitivity to the original architectural character or scale of the buildings. In some cases, over half of the original main rear façades have been covered by bulky extensions of poor design which has led to the erosion of the appearance of some of the villa properties over time. In comparison, Nos. 22 and 24 represent possibly the best preserved pair of semi-detached villas retaining its original scale and appearance at rear. Whilst it has been acknowledged that the character of some of the properties along this side of Scarsdale Villas has changed over time due to the construction of bulky and insensitively detailed additions, the subsequent conservation area designation places duty on the local planning authority to preserve the still surviving original character and appearance of the area.

Whilst the construction of half-width extensions at basement, ground and first floor level may be acceptable at the appeal premises, the Council considers that full-width extensions which would extend across both basement and ground floor levels are not welcome. The proposed development would result in over half of the original main rear façade of each building being covered by extensions, internalising eight original window and door openings with only six original window openings remaining in view when considered as a pair. This is demonstrated in the elevational sketch drawings contained in **Enclosure 4**.

The Council maintains, therefore, that extending both appeal properties as proposed would result in the over-development of the buildings, whereby the resulting volume of additions would be so great as to no longer appear subordinate to the parent buildings, to the detriment of the surviving original character and appearance of this semi-detached pair of villas. It is also maintained that the proposed development would, as a consequence, neither preserve nor enhance the character and appearance of the surrounding conservation area.

The second reason for refusal relates to the effect the proposed development would have upon the existing amenities of neighbouring properties. Although both planning applications were submitted to and considered by this authority at the same time on the premise that both schemes would be implemented at the same time, a unilateral agreement to ensure that this would occur was not submitted by the applicants at that time. The construction of the extensions as proposed at one property and not the other would result in a cliff-like effect at the boundary of both properties that would lead to an increased sense of enclosure at the property remaining free of extensions. In addition, the

implementation of the proposed scheme at only one of the properties would harm the current light levels received at the other. In the absence of a legal agreement ensuring that both properties would be extended at the same time, the Council considers that the impact of the proposed development if undertaken at only one of the properties, would be detrimental to the existing amenities of the adjoining property.

In light of the above, the Council maintains, therefore, that it was justified in its decision to refuse planning permissions for the proposed development, which is considered contrary to the Council's Unitary Development Plan Policies, in particular CD 27, CD33, CD36, CD47, CD48, CD57, CD61 and CD62.

### **Observations on the Appellant's Grounds of Appeal**

The Appellants have set out their grounds of appeal against the Council's decision to refuse planning permission for the proposed scheme at both properties as follows:

- (i) Policies CD47 and CD48 are principal considerations and the proposal complies with the Council's UDP criteria for determining extensions and conservatories. The Council disagrees with this conclusion and it felt that criteria CD47 (d), (e) and (g) and CD48 (b) are breached.
- (ii) The proposal relates to the rear of the premises, which is relevant when considering the potential impact on the Conservation Area. In any event, the proposal through its design would comply with Policies CD27, CD57 and CD61. The Council disagrees with these conclusions as explained in the preceding sections of this statement.
- (iii) The joint proposal with no.22 provides a unique situation to preserve and enhance these two buildings, something which has been missed with other surrounding buildings. In so doing, compliance can be demonstrated with Policies CD33 and CD36. The Council disagrees with this assessment.
- (iv) The proposed design is of significant quality thus in accordance with Policies CD27 and CD62. The Council disagrees with this conclusion, as it is felt that the combined extension would not be compatible with the surviving original scale of the pair of buildings.

It is considered that the main issues raised under each ground of appeal have been fully addressed in both the delegated reports (dated 3<sup>rd</sup> September 2004) and the preceding sections of this statement.

However, the Council wishes to comment on the statement made by the Appellants in Paragraph 3 of their supporting document regarding extensive discussions with this local authority whereby the appellants admit that "*no agreement could be reached*" with regard to the acceptable scale of the rear extensions and that "*revisions were submitted to the Council in the hope of achieving consent*". This is commented upon further under Paragraph 11 (Planning History) of the Appellants supporting document where reference is made to 'Scheme 4' – which was the final scheme submitted as part of the planning application forming the subject of these appeals – whereby "*it was considered that this took account of the concerns of the Council*".

A planning application was first submitted to this authority in August 2003 by the Appellant at no.24 seeking permission for the erection of a full width extension at basement and ground floor levels together with half width extensions at rear first and second floor levels. That scheme was significantly revised following the advice given by the Council's planning officers at that time and a full-width extension – half of which consisted of a lightweight conservatory extension – was considered acceptable only at basement level with half-width extensions proposed at ground and first floor levels


above. Despite the revision to the scheme and the likelihood of gaining approval from this authority, the applicant withdrew the application in September 2003. Regrettably, a new planning application (ref. PP/04/0250) was submitted to this authority in January 2004 for a similar scheme to that which was originally submitted in 2003. The applicant withdrew that application in March 2004 following discussions with the Council's planning officers who again advised that the proposal was unacceptable in principle due to its scale and impact upon the building pair itself and the conservation area.

In light of the previous planning history relating to these premises and of the repeated advice given by the Council officers to date, the Council considers that the aforementioned comments by the Appellant are somewhat misleading. The Council is satisfied that it has provided the Appellant with very clear and consistent advice from the outset as to the maximum amount of extensions that would be considered acceptable at these premises. Whilst the Council regrets that the advice given does not accord with the Appellant's desired scale of the extended ground floor level, it does not represent a material planning consideration in this case.

### **Conclusion**

It is the Council's opinion that there is no justification in this case for making a decision which would go against the policies of the adopted Unitary Development Plan as outlined above. The proposed schemes are both considered unacceptable for the reasons outlined in the Council's delegated reports as expanded on by reasoning in this letter. It is respectfully requested that the appeals are dismissed.

Yours sincerely,

  
Paul Kelsey,  
Area Planning Officer,  
For the Executive Director, Planning and Conservation.

## ENCLOSURES

1. Decision Notices for Refusal of Permission, dated 3<sup>rd</sup> September 2004, relating to planning applications PP/04/1549 and PP/04/1550.
2. Delegated Reports of the Executive Director, Planning and Conservation, dated 3<sup>rd</sup> September 2004, relating to planning applications.
3. Extract from Edwardes Square, Scarsdale and Abingdon Conservation Area Proposal Statement.
4. Sketch drawings of rear elevations at nos. 22 and 24 Scarsdale Villas indicating scale of extensions.
5. Suggested Conditions should the Inspector be minded to grant the appeal.

APPEALS TIMETABLE

ADMINISTRATION

Initials

Time  
Hours

Cost  
LAWJ

- ) Notification of appeal to third parties
- ) Pre Statement Inquiry/hearing
- ) Preparation of Statement and Documentation
- ) Notification of appeal decision

CASE OFFICER

- ) Preparation/
  - ) Meeting
- Legal  
Counsel  
Transportation  
Design  
Policy  
BEHO  
Other Parties

- ) Statement
- ) Public Inquiry/Local Hearing

- Policy
- Preparation  
Meetings  
Statement if applicable

- Design
- Preparation  
Meetings  
Statement if applicable

- Transportation
- Preparation  
Meetings  
Statement if applicable

PLANNING SERVICES APPLICATION

CONSULTATION SHEET

APPLICANT:

D'Arcy Associates,
9 Lamington Street,
London,
W6 0HU

APPLICATION NO: PP/04/01550

CASE OFFICER: Ms.E. Richards

APPLICATION DATED: 08/07/2004

DATE ACKNOWLEDGED: 12 July 2004

APPLICATION COMPLETE: 09/07/2004

DATE TO BE DECIDED BY: 03/09/2004

SITE: 24 Scarsdale Villas, London, W8 6PR

PROPOSAL: Rear extension at basement, ground floor and 1st floor half landing. New windows to the side elevation at 1st floor, ground floor and basement level.

ADDRESSES TO BE CONSULTED

- 1. AS PP104/00250 & objections.
2.
3.
4.
5.
6.
7.
8.
9.
10.
11.
12.
13.
14.
15.

CONSULT STATUTORILY

English Heritage Listed Bdgs - CATEGORY:
English Heritage Setting of Bdgs Grade I or II
English Heritage Demolition in Cons. Area
Demolition Bodies
DoT Trunk Road - Increased traffic
DoT Westway etc.,
Neighbouring Local Authority
Strategic view authorities
Kensington Palace
Civil Aviation Authority (over 300')
Theatres Trust
National Rivers Authority
Thames Water
Crossrail
LRT/Chelsea-Hackney Line/Cross Rail Line 2
Victorian Society
DTLR Dept. Transport Loc.Gov.& Regions

ADVERTISE

Effect on CA
Setting of Listed Building
Works to Listed Building
Departure from UDP
Demolition in CA
"Major Development"
Environmental Assessment
No Site Notice Required
Notice Required other reason
Police
L.P.A.C
British Waterways
Environmental Health
GLA - CATEGORY:
Govt. Office for London
Twentieth Century Society

22

14/7/04
ad